

COLUMBIA JOURNALISM REVIEW

MAY/JUNE 1977

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ROBERT GROSSMAN

Eyewitless News

by RON POWERS



How International Paper helps mother trees have stronger, healthier offspring

The forester in the photograph is—well, you might call her a matchmaker.

She's using that syringe in one of our seed orchards to make just the right kind of match: the pollen of one very special pine tree to the flower of another.

It's all part of an effort to grow a better kind of tree—far taller, straighter and more disease resistant than its ancestors.

That effort could be critical to America's economy.

Nature under pressure

Nature needs help. For two centuries she has been supplying America—and other parts of the world—with all the trees we needed. Now the demand is increasing faster than nature alone can replenish the supply.

America uses more than half a ton of wood each year, for every man, woman and child. (That's the equivalent of a 55-foot tall southern pine tree with a 12-inch diameter for each of us.)

And, the demand will double by the year 2000 if we are to meet our needs for housing, protective packaging, communications and other critical demands of a modern economy.

So America must grow more trees—and trees with a lot

more usable wood fiber. That's where International Paper is helping.

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For 20 years now, International Paper has been breeding better trees. They're not only taller and straighter than ordinary trees. They also grow *faster*. And they have fewer, smaller branches. That means they contain more *usable* fiber.

Our first man-bred tree, the Supertree, contained 25 percent more wood fiber. Now we're breeding a tree expected to yield 20 percent more fiber than that—to be grown in forests managed to give each tree optimum space for growth.

In fact, our tree breeding program is so extensive that by 1978 we expect to replace every southern pine we harvest with better, man-bred trees.

Hardwood trees, too

And we've extended our breeding program to hardwood trees like gum and sycamore, so that hardwood lands will be more productive, too. We've also developed a Landowner Assistance Program, to help small landowners do a better job of managing their forests.

Right now, there are over 500,000 acres of land involved in this program.

And there's still more. We're

finding ways to get more wood fiber out of the trees we harvest. We're involved in cooperative nursery programs and tree farm programs. We're working to improve tree harvesting techniques, while protecting forest soils and forest watersheds.

More to be done

Will all this be enough to keep the world's fiber supply going strong? It will help. But more must be done.

At International Paper, we believe forest products companies, private landowners and government must work together to develop more enlightened policies for managing America's forests.

The wrong policies can make tree farming difficult and force the sale of forest land for other purposes. The right policies can assure continuation of America's forests—a renewable natural resource.

If you'd like more information about what has to be done to assure the world's fiber supply, please write to Dept. 162-A, International Paper Company, 220 East 42nd Street, New York, N.Y. 10017.



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THE SUPER MARKET

AMERICA'S MOST MISUNDERSTOOD GREAT INVENTION.

The butcher, the baker, the candlestick maker. The grocer, the dairy, the canner, et al. What if they all delivered their wares to a central warehouse which in turn parcelled them out to neighborhood stores?

What if these stores stacked virtually everything the shopper needs on neat open shelves so customers could easily help themselves? In wide varieties, so customers could choose for themselves?

Can you imagine the savings in distribution costs and labor? On merchandise that moves too fast to spoil? Can you calculate the downward pressure of such a market on retail prices?

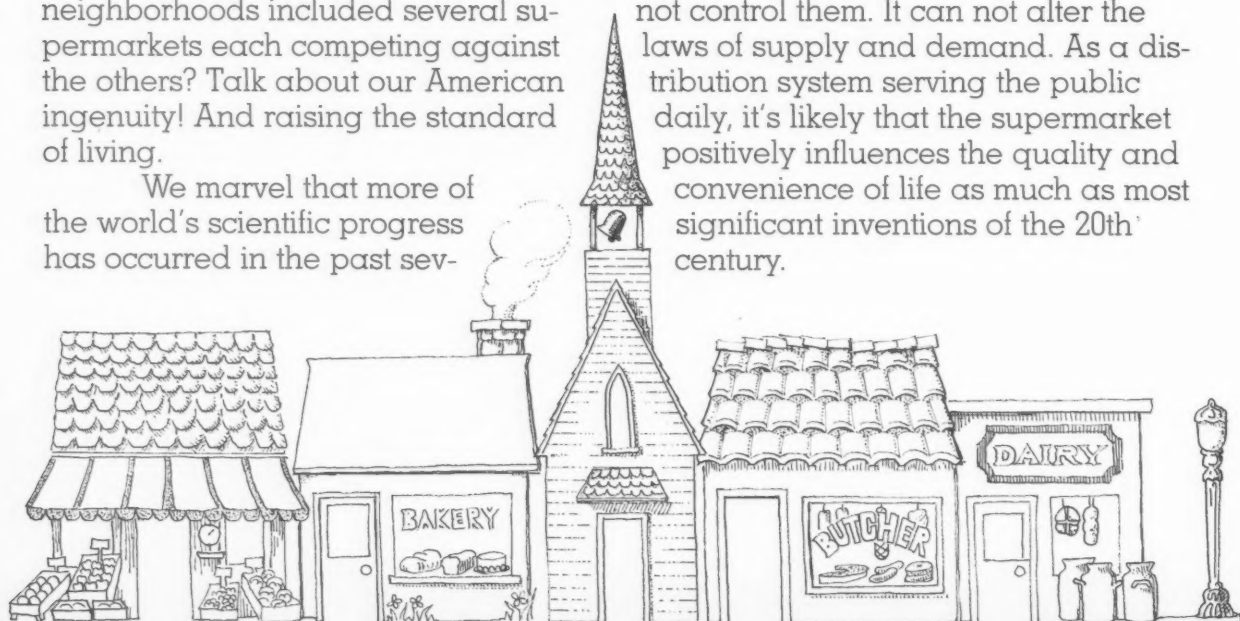
What if the idea worked so well that supermarkets proliferated and neighborhoods included several supermarkets each competing against the others? Talk about our American ingenuity! And raising the standard of living.

We marvel that more of the world's scientific progress has occurred in the past sev-

enty-five years than in all previous history. We recite lists of inventions, discoveries and achievements. And often we forget the supermarket. Think of it. Which would you miss more, your dishwasher or your supermarket?

Yet the supermarket is frequently blamed for everything from high prices to low quality. But it's a fact that the supermarket industry's distribution efficiency and unceasing competitiveness do more to keep grocery prices in check than almost any other factor in our economy. And quality in American supermarkets is as high as you can find anywhere.

The supermarket is pure and simple a remarkable distribution system. It can influence prices but it cannot control them. It can not alter the laws of supply and demand. As a distribution system serving the public daily, it's likely that the supermarket positively influences the quality and convenience of life as much as most significant inventions of the 20th century.



INTRODUCING FOOD MARKETING INSTITUTE.

One reason the supermarket is misunderstood is that growth has been so dynamic and the industry so busy buying, warehousing and distributing food and groceries that it has not taken enough time to communicate its functions and objectives to the public.

However, the industry recognizes that with growth comes added responsibility, in service and information. This is why Food Marketing Institute was formed. This new organization will place special emphasis on research, education and public affairs. It will make available to all of you in the news media the information you need to serve your readers, listeners and viewers.

Pertinent background briefings such as the following are available to you on request.

Competition in the Supermarket Industry. An original research study of the realities of competition in major metropolitan areas. Measures supermarkets against eight established criteria of competitiveness.

How It Works. An explanation of the difference between the wholesale cost of food and prices supermarket charge. Includes an analysis of how supermarkets determine final shelf prices and of the services supermarkets provide the public.

Food Economics, 1976: A Look at Distribution, Prices & Profits. An examination of the cost components of retail prices, including a detailed explanation of the difference between what the feeder receives for his livestock and what the consumer pays for meat in the supermarket.

To secure these briefings and any other information call or write:

Victor R. Hirsh, Director of Public Information, Food Marketing Institute, 1750 K Street N.W., Washington, D.C. 20006, 202/452-8444, or contact: Katherine M. Boyle, Manager Press Services

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COMMENT

Taking terror's measure

There has been considerable defensiveness in the news business since the recent flurry of hostage-taking — the abduction of a mortgage-company executive in Indianapolis, the holding of a police captain in Cleveland, the Hanafi Moslem siege in Washington. News media, it is charged, all but placed themselves at the service of the terrorists, lending them a national audience, a dramatic setting for their demands, and even on occasion mediation services. Journalists reacted touchily when Ambassador Andrew Young suggested that the First Amendment might not have been designed to protect coverage of such phenomena. Some dismissed his call for legal restraints as "hasty and pernicious" (*The New York Times*), while others called on news media to impose the same kinds of restrictions on themselves.

Some aspects of terrorism — relations with police, the response to specific demands for publicity, the question of negotiating by journalists — might be subject to some kind of prior understanding among the media. Yet the larger problem, it would appear, is less one of adopting new policies or codes than of readjustment and re-education in news values.

As matters stand, news organizations not only cover, they smother such stories with technical and staff resources. A concerted assault of the type that took place in Washington perhaps justifies such treatment, but what about the acts of single, possibly deranged persons in Cleveland and Indianapolis? By what standards — other than fear of losing out to the competition and the inherent excitement of live pictures of, say, a man in imminent danger of having his head blown off — do such events qualify as significant in terms of the val-

ues supposedly cherished by serious journalists?

Is the frantic coverage granted random terrorists another manifestation — like those so pungently described in Ron Powers's treatise on television news (page 17) — of news as a form of entertainment deriving its kick from dealing with alleged reality? If so, we may be on the road to some of the absurdities in Paddy Chayevsky's film, *Network*, where terrorism is contracted for by ratings-hungry executives. There is still time to retreat, and the first step is for news organizations, instead of joining in the excitement, to look coolly at acts of terror and measure them for their true public significance.

For another statement on the media and terrorism, see *National News Council Report*, page 81.

Darts and laurels

Dart: to the *Florida Times-Union* and *Jacksonville Journal*, for their promotion of a special section on education. A letter sent to registrars of southeastern colleges and universities inviting them to advertise promised that "each school participating in this special edition will receive, at no additional cost, editorial space equal to the size of the paid advertisement. . . . For the editorial content offered we would ask you to provide us with material that our reporters could use to tell the story and background of your school."

Laurel: to *National Geographic*, for a memorable journey through the best known black community in the Western world. Frank Hercules's and Leroy Woodson, Jr.'s February expedition to Harlem captured the intricate texture of love and despair, squalor and hope that make it "a replica in miniature of the human condition."

Dart: to *The Boston Globe*, for printing on February 24 a self-serving press

release prepared by its own lawyers that selectively described the terms of an agreement between the paper and the Federal Trade Commission concerning misleading telephone solicitations for *Globe* subscriptions. *Dart reconsidered:* to *The Boston Globe* for its February 25 follow-up in which it regretted the incomplete presentation and printed "a more thorough and objective version." *Laurel:* to *The Boston Globe* and ombudsman Charles Whipple for a published rebuke to *Globe* editors for their unquestioning acceptance of a press release as news — even if it was from their own lawyers. "There is a difference," admonished Whipple on March 12, "between news judgment and legal advice."

Laurel: to *Philadelphia Daily News* reporter Frank Dougherty, for following the drum of a different beat — the subways, trolleys, and buses of Philadelphia. Under the by-line, "The Phantom Rider," Dougherty tells delighted readers tales of his incognito travels, travails, and truths unknown to all but the riding public.

Laurel: to the Eugene, Oregon, *Register-Guard* and reporter Virginia Burdick. After disclosing in a May 1975 story that a state legislative committee meeting had been held behind closed doors, the *Register-Guard* and Burdick, together with the *Albany Democrat-Herald*, the Oregon Newspaper Publishers' Association, and Oregon Common Cause, brought suit and tenaciously kept their case alive for more than twenty months until legislators introduced a constitutional amendment specifying that legislative meetings are subject to Oregon's open-meetings law.

Laurel: to *U.S. News & World Report*, for ending a thirty-seven-year policy of encouraging passive reading, with the start in its March 7 issue of a new department, "Letters to the Editor."

Laurel: to *New West* magazine (April 11) for its ten-page condensation of the

Investigative Reporters and Editors 100,000-word team report on corruption in Arizona; the condensation boils down the sprawling investigative jargon to understandable essentials. (The *Review* is scheduling an appraisal of the I.R.E. series, "The Arizona Connection," for a future issue.)

Sauce for the gander

Starting on page 31, the *Review's* senior editor explores one part of a rapidly expanding news subject — hazards in the workplace, occupational safety, work-related disease. In this instance, the topic is the newspaper industry itself and how it has responded — as a business and as a medium — to a federal investigation of possible hazards in press rooms. On the record so far, the outlook is discouraging, for five major, reputable newspapers have barred investigators, at least in part on the basis of allegations that no editor of these papers would have used in a factual news story. Nor, as of this writing, have these papers, while considering the problems of every other industry fair game, broken silence about the controversy affecting themselves. Such a performance will make newspapers all the more vulnerable when they undertake — as they must — to cover the workplace story in other industries.

The trooper-reporter

A West Virginia newspaper revealed in February that it had allowed a state trooper to pose as a reporter as part of an undercover drug investigation. The editor and publisher of *The Welch Daily News*, Rollo Taylor, vigorously defended his action in the face of criticism from newspapers in Wheeling and Charleston and from the floor of the West Virginia state legislature.

He justifies what he did on two grounds. First, he argues that journalists, like other citizens, often cooperate with authorities, and that often there is nothing wrong with it. Second, he insists that what happened at his paper will have no effect on journalists

anywhere else. He argues this point by challenging all comers to describe such an effect in a way that will convince him. Needless to say, no one has.

Taylor's point of view is more willful than thoughtful. He ignores the fact that he was criticized not merely for cooperating with police, but for allowing a policeman to pretend to be a reporter. Even in Welch, West Virginia—where, Taylor says, he really doesn't need reporters in order to know what goes on — the idea that it is important for the press to avoid becoming an arm of government still ought to carry some weight. It is disingenuous to deny that law-enforcement agencies, in West Virginia or elsewhere, might be encouraged to place agents in other newsrooms; or that publicity about Welch's trooper-reporter might make some news sources, somewhere, skeptical of a reporter's claim to be no more than a news-gatherer. The truth of the matter is that neither Taylor nor anyone else knows with certainty what the effects of his actions might be. In such cases, most journalists prefer to assume the worst, and to avoid compromising their professional standing.

It doesn't have to be top-40

While it has been managing too successfully and too long to hide its light under repetitive one-noise formats, radio did a couple of things recently that may have reminded its listeners that, given a chance, the aging medium can still do some things that competitors cannot.

Radio's versatility was demonstrated repeatedly during the late great winter, as stations across the country rose to the challenges of weather emergencies. When Frankfort, Indiana, for example, was hit by a terrible January blizzard, the 250-watt WIL0 abandoned regular programming and went to what turned out to be an eighty-five-hour open-line telephone show; the station became in effect an emergency communications center for the area. Using the eyes and ears of its radio audience, WIL0 channeled help to stranded motorists, located missing persons, organized a listeners'

safety watch on snowmobiles delivering emergency supplies, and tossed in wee-hour comic relief with a call-in talent show.

On March 5, network radio had its turn, when Jimmy Carter let CBS serve as the medium for his pilot presidential call-in show. Briefly, the medium that had commanded national attention through the 1930s and 1940s regained its central role. Whatever the doubts about the participation of a journalist, Walter Cronkite, in a largely ceremonial role, *Ask President Carter* at least showed that radio still retained unmatched intimacy and directness.

The medium may have received these opportunities more or less by accident, but the message was clear. We hope that radio was listening.

Ms. found in a time warp

(The following excerpts are from a massive manuscript recovered by a recent space probe. The events described appear to reflect the apotheosis of a publishing trend that began in the last quarter of the twentieth century — the shaping of national policy so as to enhance the subsequent literary marketability of public servants.)

Chapter 1

It was only three, short, crisis-packed days after I was sworn in as secretary of state that Stu Brochure, the tall, tanned, dynamic literary hustler and prestige ghost, called me. I was giving a rundown on global hotspots to June-Lou Faucet-Minors, the Nashville knockout who became the nation's first fem president, when the call came through.

"Skip the listings, Shoeffly," she snapped. "It's Big Stu — and he wants you."

With a flounce of her bib overalls that revealed more than a twinge of envy, June-Lou footed it to the Rec Room — to listen, no doubt, to her latest hit platter — leaving me holding the black bag containing the phone of phones.

"Mr. Brochure?" I stammered, with visions of Henry the K., Jerry and Betty, Dick and John dancing like so

many sugarplums in my head.

"Shoefly baby!" said the suave, tanned, dynamic voice of the nation's number-one literary hustler and prestige ghost.

Little did I know into what action-packed hotspots, global and otherwise, I would maneuver my nation and myself to satisfy the terms of the \$64-million contract I would ink soonest with Stu!

Chapter II

I had made a couple of pretty bad boobos in those first heady days in office. Like talking about "slinky Chinks" in the presence of an ambassador from one of those inscrutable Oriental nations whose friendship is essential to our interests. Like flinging up an arm in a high-spirited salute when receiving the ambassador from one of those crystal-clear West European countries whose friendship is essential to the survival of western civilization. Like getting hiccups when I faced the nation on *Face the Nation*.

Stu's call bucked me up no end. Where I saw disaster and an early end to my diplomatic career, Stu saw potential. "With a little coaching, Shoeflap," he said, "you could gross more than Henry the K., Jerry and Betty, Dick and John

and John . . . all rolled together!"

"Really?" I inquired.

"Would Stu kid you?" Stu finalized.

That night Stu snagged an Air Force One flight down to our nation's majestic capital. Putting a small war on a back burner, I closeted myself with one of the finest minds to be found in America. When I emerged from the closet, I was a man with a mission — a mission I intended to carry out come hell or high water!

Chapter III

Stu's scenario, reflected in the terms of the contract we inked in the presence of Supreme Court Justice Mitchell ("Big Mac") McBurger, called for me to:

☐ "create or otherwise 'host' a minimum of forty-eight marketable episodes, such as cliff-hanging international 'sit-drams,' either at home or abroad, per annum." (I would get a month off — billed as World Peace Month — for vacation.)

☐ "create or otherwise 'host' another dozen marketable people-type situations, such as relationships, real or imagined, with high-echelon-type women, not excluding the president herself."

☐ get my teeth capped.

☐ make at least one trip into outer space

"to assure maximum hardcover and paperback sales of [my] years-in-office book, film purchase of same and sale of film to a major television network," and such gravy-train sources of income as the use of my face on personal apparel, sheets, cups, cereal bowls, skateboards, and the like.

Stu, for his part, agreed to set up a corporate structure for me — \$64 million takes a lot of structuring if you don't like taxes — which would be so complicated that *The New York Times* would have to illustrate it with a fold-out diagram, a publishing first!

And so began the most colorful, action-packed, near-cataclysmic years of my life — and in the life, too, of these United States and the global community at large!

Chapter LXI

How small that globe looks now as I wend my way into outer space to provide the material for the final chapter of my book which, in turn, will provide the material for the climax of the film to be made of my book, which in turn will make me the richest author in that world down there! That blue spheroid no bigger than a tennis ball! A marble! A pea! Will I ever meddle in its affairs again?

Other opinions

I note that *The New York Times* has tried to spread Sunday throughout the week, with its special "Weekend" section on Fridays, and, more recently, its "Living" section on Wednesdays. . . . I feel somewhat resentful toward them. Somehow one can accommodate all the added trivia on Sunday, but it does not go down so easily on weekdays — it is, in fact, rather like eating chocolates for breakfast — "*Aristides*," in *The American Scholar*, Spring 1977.

The interview relationship may in theory be purely professional and governed by rules-of-the-roles. But in practice the process has to mimic a social acquaintanceship and, what's more, both parties can get taken in, for the moment, by the pretense. — Susan S. McDonald in *The National Review*, January 7, 1977.

Our own community of Lexington [Virginia] . . . happens to be, so far as I know, one of the most pleasant, tolerant, and honest places in the world. It has little or none of the kind of corruption that afflicts larger concentrations of organized power in great cities, the state, or nation. Yet its media report little or nothing in areas that are of the most vital concern to us in our daily living and in our competence to make political decisions, such as the real quality, worth, and effects of the food, drink, drugs, and goods that are merchandised locally, especially as compared with advertised claims; or the quality and pricing of doctors and medical services; or the redundancy of fees in real estate transfers; or the profligate waste of gasoline and other forms of energy; or the quality and pricing of repair services for automobiles, television sets, and appliances; or the relevancy of our edu-

cational bureaucracy to the sub-cultures of youth and minorities; or the social effects of conventional and pentecostal religion; or any number of other areas that are "sensitive" in the sense that exposure can discomfort or alarm some power or pressure group within the community. — O. W. Riegel, professor emeritus of journalism, Washington and Lee University, at a seminar on ethics of journalism, November 16, 1976.

It is because none of us has the sagacity of an editor or the perspicacity of a publisher that we have a form of government that insists that no one person's proposals be accepted until they are thoroughly aired and deliberately debated. — Remarks of Representative John Brademas, Democrat of Indiana, to the National Newspaper Association government affairs conference, March 17, 1977.

Sometimes I, too, feel blue.

Meanwhile, Stu's tan, dynamic voice bucks me up as he calls back his edits of my unearthly prose. "We've got a winner on our hands, Shoeblack!" he cries as each skillfully sculpted chapter is transmitted to me.

Well, maybe. But from my vantage point in space, Stu's scenario sometimes seems a helluva way to make a buck.

J.S.

Ho-hum — Latin America

"Someone has remarked there was a time when readers of our newspapers here might have imagined revolutions and volcanic disturbances were the chief product of Latin America," said President Calvin Coolidge in 1926, concluding that because of the increased importance of Latin America to the United States and improvements in communi-

cations, "That day has passed."

Unfortunately, he was wrong. During the half century since Coolidge addressed these remarks to the first Pan-American Congress of Journalists, news about Central and South America and the Caribbean has been slim, usually concentrating on the cataclysmic.

Even the best journalists and journals have given the region a low priority. (Walter Lippmann did not get around to making an extended trip to Latin America until 1965.) In Coolidge's day, when the United States dominated the Western Hemisphere, North Americans could afford to be cavalier about their southern neighbors' activities. Today they can't. "It was a South American country [Venezuela] that founded OPEC," former U.S. Representative and now governor of Delaware Pierre S. duPont reminded the last Congress, "and at least one Latin American nation belongs to each of the international cartels that have been formed."

Likewise, Latin American countries

are no longer so quick to fall into step with U.S. national-security priorities. Cuba has sent troops to Angola; Brazil has purchased a complete nuclear fuel cycle from the Federal Republic of Germany; and Peru has ordered jet fighters from the Soviet Union.

This may be just the beginning. With shaky economies, burgeoning populations gravitating toward their cities, and, in many cases, repressive governments, the future of almost every Latin American country is uncertain.

Yet, despite the importance these developments have for the United States, inadequate news coverage continues. "American newspapers that regularly publish Latin American news account for only about 15 percent of total U.S. newspaper circulation, and are concentrated in Southern California, the Southwest, the East Coast from Boston to Washington, and in Florida," says *Los Angeles Times* reporter David F. Belnap, the senior U.S. correspondent in Latin America. "Millions of readers

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elsewhere — with notable exceptions in Illinois and Kentucky — go weeks, even months, without seeing a Latin American dateline unless the story concerns a natural catastrophe, a revolution, or a subject that's outrageously offbeat."

And the information gap is widening. Recently, the Baltimore *Sun* closed its South American bureau, and other newspapers, such as *The New York Times*, have cut back on sending economic reporters and other specialists to Latin America on short assignments.

Consisting of twenty countries with as many different histories, governments, social statistics, and problems, Latin America is an overwhelming beat for the skeleton U.S. press corps. Full-time wire-service correspondents, who put out the most news about the region, are stationed in just half of Latin America's countries and are spread even thinner with other duties. Besides newsgathering, Associated Press and United Press International reporters must run their bureaus, translate stories from stringers in other countries, and, as one former A.P. correspondent puts it, "serve as bill collectors," by which he means selling their service to local clients.

Correspondents for NBC and CBS, *Time* and *Newsweek*, and *The New York Times*, *The Washington Post*, and the *Los Angeles Times* — the few organizations that station their own reporters south of the border — have large areas of responsibility — all of South America, in some cases. Worse, because they are expected to cover breaking news, they must spend most of their time skipping from crisis to crisis.

The inevitable result is large doses of literally earthshaking news. The six dailies that give the most attention to Latin America — *The New York Times*, *The Washington Post*, the *Los Angeles Times*, *The Christian Science Monitor*, *The Miami Herald*, and *The Wall Street Journal* — published a total of two features and three short news items on Guatemala in January 1976. In February, when an earthquake hit the country, initially knocking out almost all its communications facilities, they published eighty-eight stories.

Because of the press corps' small

numbers and penchant for calamities, large sections of Latin America are neglected. In November of last year, to take one month at random, the six newspapers mentioned above published a total of eight stories on seven of the smaller countries.

For Latins, skimpy, incomplete reportage means more than poor hemispheric communications. It also keeps them poorly informed about their own activities. In 1970, according to a media critic, Armand Mattelart, 72 percent of the news coverage in Latin America's fourteen principal newspapers came from the A.P. and U.P.I. Because the wires do not cover Latin American countries as well as they do other parts of the world, regional news is slim. "I don't have any idea what is happening in Surinam," says Hernan Antelo, Bolivia's counterpart of the White House press secretary, "And I know more than I need to about what is happening in Paris."

What has kept U.S. news managers from improving coverage is a belief that North Americans simply don't care. As James Reston put it, "The people of the United States will do anything for Latin America except read about it."

There is, however, another side to this assertion. "I once said to Scotty [Reston]," the former U.S. Ambassador to the Organization of American States, Sol Linowitz, said several years ago, "I don't believe that. I believe they will [read], but I think reporters will do anything for Latin America except write about it."

Indeed, these two remarks form a "vicious circle," as Edward W. Barrett and Penn T. Kimball of Columbia's Graduate School of Journalism pointed out fifteen years ago. "First, the claim is made that Americans are not interested; next, the failure to provide the news perpetuates ignorance; finally, ignorance leads to the lack of interest described by the editors."

A number of attempts have been made to attract editors' attention:

□ Like almost every study of U.S.-Latin American relations, *The Rockefeller Report on the Americas* called for better hemispheric reporting and sug-

gested such curatives as bringing experts and newspeople together;

□ The Inter-American Press Association, which grew out of the 1926 Pan-American Congress, has underwritten exchange scholarships;

□ The Center for Inter-American Relations has sponsored traveling press seminars in which U.S. journalists are taken to Latin American countries.

But, at best, these efforts have convinced only a few editors (a study following the first traveling press seminar showed that coverage by the participating papers went up just after the tour), and have not developed sustained, wide interest in the region.

Ultimately, it could be Latin Americans who persuade editors to do a better job. During the past several years, Latin American countries have led the Third World in challenging inadequate reporting and have even suggested treating news of their activities like oil by forming news cartels. Unless editors think about what they have done to create this situation and do something soon to alter it, U.S. journalists may find themselves unable to cover Latin America at all.

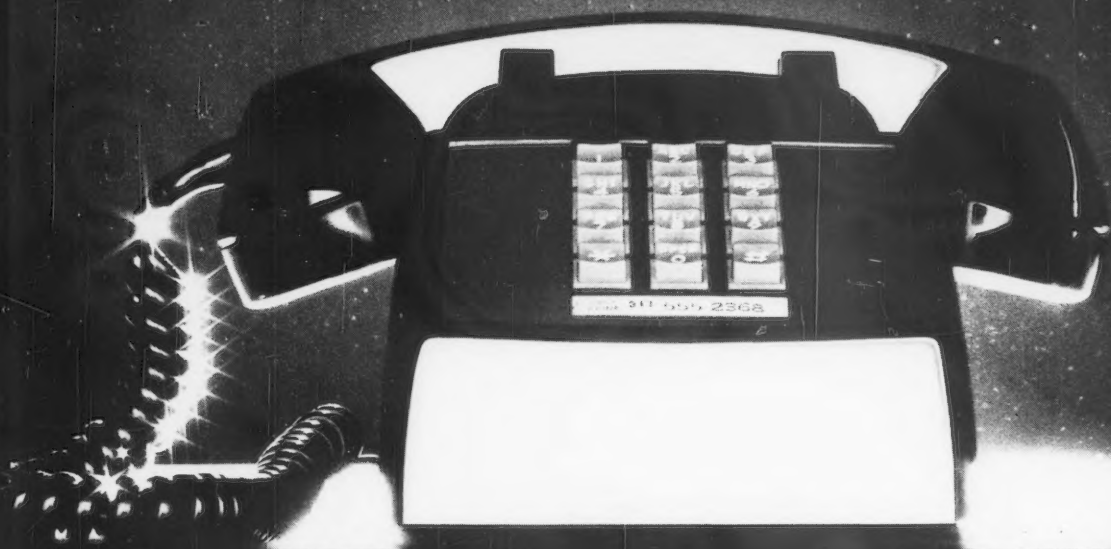
If they wanted to, editors could provide more news without spending great sums of money. Just using the wire service stories that are available, as *The Miami Herald* does, would be a good start and might encourage A.P. and U.P.I. to beef up their staffs.

Of course, newspapers, magazines, and networks should hire more Latin American specialists and, better yet, station them abroad. But, equally important, they should encourage their reporters to do independent, in-depth reporting instead of competing for flashy stories as they do now.

Not to break away from the deadly cycle that tries to justify paying little attention to Latin America is to risk ignorance, misunderstanding, and perhaps even less coverage at a critical time in hemispheric relations. At the very least, before editors write off the region as not newsworthy, they ought to give the public something to ignore.

JOHN MAXWELL HAMILTON

John Maxwell Hamilton is a South America-based journalist.



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PUBLISHER'S NOTES

Heartening signs

Sitting where we do, we see both discouraging and encouraging developments in journalism. Among discouraging trends is that of happy-talk, frothy TV news at the local level, as well as the trivializing of a few newspapers around the country.

On the heartening side we can always note with pleasure the conversion of once-dubious newspapers into admirable journals. Thus the *Review* some sixteen years ago was, we believe, the first national publication to flag the transformation of the *Los Angeles Times* from a lopsidedly reactionary journal to a balanced and responsible major newspaper. A new generation of the owning family effected the change.

We note now the continued progress of the *Chicago Tribune*, under editor Clayton Kirkpatrick, toward true balance, fairness, and news integrity. Another welcome metamorphosis is taking place in Jackson, Mississippi. There the *Clarion-Ledger*, once notorious for racial bias and for an ultra-conservative slant, is becoming increasingly vigorous and fair-minded. As was true in Los Angeles, a new generation of the owning family is largely responsible. As the young Rea Hederman moves into control, the paper has been recruiting able, well-educated young journalists, dealing forthrightly with racial developments, avoiding news suppression, and presenting both sides of controversial issues.

Review advertising

When this magazine started publishing advertising two years ago, it was primarily to help the *Review* toward becoming self-sufficient and financially independent. We can now report that progress toward that goal has been substantial. More important, there has been no instance of an advertiser seeking to influence editorial policy.

However, there comes from time to time a thoughtful letter questioning the acceptance of ads in general or ac-

ceptance of specific types of ads. As an example of the latter, an esteemed faculty colleague at Columbia protests vehemently against publishing cigarette advertising. In response, one can argue that once a process of selecting ads gets started it can lead into treacherous ground. After banning cigarette advertising, why not exclude liquor advertising, then ads for high-speed sports cars, and finally any ads for any product subject to abuse? Hardly palatable for a magazine devoted to free speech. In any event, the cigarette issue is going before the *Review's* Advertising Review Committee for a full airing.

On the broader issue of corporate institutional ads, a reminder seems appropriate: The *Review* does not pretend to agree with the messages of its advertisers and on appropriate occasions may state its disagreement. As a magazine devoted to open discussion, however, it freely accepts ads expressing a point of view (drawing the line only at clear factual misrepresentation or gross bad taste). Such advertisements help make the *Review* possible, are consistent with a policy of fostering public debate, and reflect confidence that *Review* readers are a mature, intelligent lot, fully capable of making up their own minds without protection from us.

The circulation maze

Publishing a specialized magazine like the *Review*, which has finally worked its way up to 30-odd thousand circulation, involves, in microcosm, all the problems of publishing a great national magazine. Thus we have confirmed through tests what magazines generally have learned: that circulation-solicitation letters arriving the first week in January will produce twice as many subscriptions as letters mailed in April, or the curious fact that a four-page letter will generally produce much better than will a letter of one page or two pages or even three or five pages. No one is sure of the reasons. Social scientists should find it a choice field to explore.

The computer letter

Regarding circulation mailings, you doubtless have noted the relatively new use of computerized letters, where the computer fills in the last name of the recipient at various points to make the letter seem quite personal. It has been used by everyone from Gerald Ford (for G.O.P. fund-raising) to the New Process Company (for selling mail-order haberdashery).

We relished one letter from *Newsweek* addressed to this magazine and obviously using some mailing list that had abbreviated our name to "Columbia Jour. Rev." By the time *Newsweek's* computer finished, the letter was addressed to "Ms. Columbia Jourrev."

Twitting our friends at *Newsweek*, we learned that ours was a mild case of computer aberration. One letter had gone to a financial analyst whom we shall call John Blank. The mailing list had read "John Blank, Anal." When the letter arrived, it began "Dear Mr. Anal." It continued: "We are sure, Mr. Anal, that . . ." and added later that "the whole Anal Family" would find *Newsweek* fascinating.

Public TV 'sponsors'

Worth watching with care — and some apprehension — is an ironic trend in public television. At a recent informal gathering of veteran TV executives, now working in both public and commercial broadcasting, it was agreed that companies engaged in underwriting public TV programs are tending to do more reviewing of scripts and tapes and to attempt more influence than do most advertisers on commercial programs. The quite understandable reason is that a company that "makes possible" a public-TV program is likely to feel more responsible for content than does one whose advertisement is simply sandwiched into a commercial show. In any event, it is an odd development in a medium heralded as "free from commercial restraints." E.W.B.

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Columbia Journalism Review E1Y

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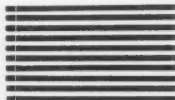
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Volvos are filled with things that people grow to appreciate as time goes by. In fact, a recent nationwide survey of new car buyers has shown that Volvo owners are more satisfied with their cars than are the owners of any car made by General Motors, Ford, Chrysler, or American Motors.

The first time you drive a Volvo you begin to understand why.

Our passenger compartment, for example, is designed not just to make you feel comfortable, but to make you a better driver.

The seat is infinitely adjustable. So you can concentrate on the road instead of

concentrating on finding a comfortable driving position.

There's a noticeable lack of blind spots.

Caused by a noticeable lack of opera windows. And by front roof pillars that are narrow

WHY VOLVOS BETTER AS TH

enough to be seen around. So you can always see what's going on around you.

Drive under these conditions for a few months and the car begins to feel as if it's becoming part of you.

And if you're like many Volvo

owners you'll start to develop a new self-assuredness on the road.



Due to the way our rack and pinion steering allows you to maneuver through traffic. And easily slip in and out of parking spaces.

And while the odds are that you'll stop at least once during your first year to marvel at our four-wheel disc brakes

SEEM TO GET HEY GET OLDER.

(usually after your first panic stop), you'll probably never take advantage of our triangular circuit braking system.

(It gives you about 80% of your braking power if one circuit ever fails.)

After a year or two passes, you'll still appreciate how quickly our overhead cam engine can get you from 0 to 55.

But if you're like many Volvo owners, you'll swear the car's getting even faster as it's getting broken in.

As the years go by, there are dozens of other things you'll come to appreciate.

Like the way the seat slowly conforms to your body and becomes *your* seat. Or the way the car is finished. To keep a Volvo looking good

for a long time, it comes with six coats of paint and primer. And two separate under-

coatings instead of one. Or none. So if you ever *do* decide

to sell your

Volvo, looks won't be the reason why.

At Volvo, we give you a car you can keep. But more importantly, we give you a car you'll want to.

VOLVO

The car for people who think.



“Like wrestling over deck chairs on the Titanic as it’s sinking . . .”

That’s how Rep. Mike McCormack, one of the leading energy authorities in Congress, once described national efforts to develop a comprehensive energy policy.

Prospects for an end to that kind of fruitless activity are looking better, we’re pleased to say. But crucial tests still lie ahead—tests of national will, of tough-mindedness in facing up to the need for balanced goals and programs, of getting plans operating effectively.

This past winter should have taught us some important lessons; one being that cold houses and closed factories and schools make a poor foundation on which to build a future for a nation such as ours.

A realistic energy policy must by all means emphasize conservation of our precious natural resources and protection of our environment. It must also, we believe, include specific programs to eliminate wasteful energy consumption, require fuller utilization of coal and acceleration of nuclear development in order to buy the time we need to get other promising technologies—solar and fusion, for instance—working for us.

Our business is energy . . . energy and progress. We’ve been pushing for a comprehensive national energy policy for close to 20 years—and we’ll keep at it until we get one.

Many individuals and organizations have made energy policy recommendations. Rural electric leaders from Maine to California have put on the record our views . . . based on 40 years of experience and the input of 25 million consumer-members.

Determined people working together toward a common goal—listening to all sides of an issue, compromising, cooperating—can get the big jobs done.

That’s how we worked with our consumer-owners to write one of the greatest success stories of the 20th century . . . bringing electric light and power to rural America.

That’s how we’re working today, to serve our communities, our country.

That’s how we’ll continue to work with our nation’s leaders, to achieve a comprehensive, coherent energy policy.



Annually, delegates from each of the nation’s nearly 1000 rural electric cooperatives and public power districts meet to formulate and adopt policies on national issues.

**Mr. President,
Members of Congress,
we pledge our cooperation**



**America’s
rural electric systems**

The National Rural Electric Cooperative Association is the service organization for the nation’s electric cooperatives. For a copy of rural electric energy positions, write “Viewpoints,” NRECA, 2000 Florida Avenue, N.W., Washington, D.C. 20009.

Eyewitless News

Many local TV news shows have become cybernetic, modular Twinkies of the airwaves

by RON POWERS

If Edward R. Murrow, the patron saint of TV news, had visited the earth in 1976 and traversed the nation, searching for refinements of his legacy, here are some of the strange and wondrous sights he would have seen:

□ At WLS-TV, the ABC-owned station in Chicago, there is a filmed report by the station's weatherman, John Coleman. Coleman is standing beside a highway in North Dakota. He holds an envelope toward the camera. He says, "In this envelope are a group of never-before-published pictures of flying saucers. Are these the real thing? Or . . . are these hoaxes?"

□ At KNXT, the CBS-owned station in Los Angeles, a woman reporter in a wet suit plunges into a tank of water. She begins playing with a porpoise.

Ron Powers, for six years the television critic of the Chicago Sun-Times, was awarded the Pulitzer Prize for criticism in 1973. Last fall he became critic-at-large for WMAQ-TV, Chicago. This article is adapted from The Newscasters: The News Business as Show Business, to be published in June by St. Martin's Press.

□ At KTTV, an independent in Los Angeles, co-anchormen Chuck Ashman and Charles Rowe are reading the night's lead stories. The lead stories include an item about a bill in the Tennessee legislature advocating a state fossil and another item about a misprint in an *Azusa Herald* article announcing the appointment of Mary Hartman to the planning commission.

□ At WMAL-TV in Washington, a woman reporter named Betsy Ashton is announcing a story on Howard Hughes's will. She is sitting in a cemetery.

□ At KSTP-TV, the NBC affiliate in Minneapolis, comedienne Judy Carne pops into the newsroom during the newscast and begins playing with sportscaster Tom Rather's ears.

□ At WKYC-TV, the NBC-owned station in Cleveland, reporter Del Donahue is broadcasting from inside a lion's cage. The "angle" is that Donahue is "learning how" to train a lion. Donahue sits down upon the supine lion's haunches. The beast, which lacks a sense of humor, springs up and begins to maul Donahue, who suffers cuts requiring



sixty stitches before he is pulled to safety by the real trainer. Journalism is served in the end, however: WKYC's camera records the entire grisly episode, and it is shown on several NBC stations — as a news event.

Murrow would have seen rank upon rank of "news teams" in matching blazers and coiffures like so many squadrons of "Up With People" teenagers, all displaying standardized wry smiles behind their *Star Trek* desks. He would have seen news teams that begin their evening's duty by strutting on camera en masse. (At WABC-TV in New York, they sort of *cascade* onto the set, like the Angelic Messengers taking the stage for Part Three of the *Dybbuk Variations*.)

He would have been puzzled by full-page newspaper ads that trumpet a news team as though it were a new kind of low-tar cigarette, and by TV "promo" commercials that show anchorman, weatherman, sportscaster, and principal reporters riding around in cowboy suits on white horses or passing inspection dressed up like doughboys. (Los Angeles's KABC has a reported yearly budget of \$1.4 million for this type of advertising alone.)

What the hell, Murrow might understandably have asked, has all this got to do with *news*?

He would have seen news, all right — in a manner of speaking. (And the manner of speaking would have been strange, indeed, to Murrow's ears.) TV journalists in 1976 not only entertained, they covered "serious" news as well. That is, it would be safe to say that on any given nightly TV newscast in 1976, a viewer would be exposed to the three or four most important stories that graced the front pages of the local newspaper. Most large-city TV news departments offered, in addition, a noble-sounding catalog of secondary news services: consumer tips; perhaps a mini-documentary, in several parts, on some civic issue; an "action" reporter who was a conspicuous participant in the stories he or she covered; often a minority advocate, handsome/beautiful and

vaguely ethnic, along the lines of Geraldo Rivera; an "ombudsman" reporter who checked out complaints made against local businesses and services.

But there was something missing at the core. Amidst all the self-consciousness, the preening, the ingratiation, and the bonhomie, Murrow might have noticed that in very few cases was there a sense of *mission* about the TV newscasts: a sense of continuity in the life of the city (or "market") covered; a palpable willingness to perform the vigorous, adversary, check-on-government, intervening role that American journalism has traditionally performed.

There was little feeling of real partnership with the viewer, only a vague, disguised condescension. There was little evidence that any of the coiffed anchorpersons or "action" reporters or "ombudsmen" on the air shared — or were even aware of — the Jeffersonian notion than an informed public will make its own best decisions if given the facts on which to make them.

To put it into practical terms: Had Murrow stuck around a station, chosen at random, for six or eight weeks (or months or years), chances are that he would not have seen one piece of journalism, initiated by that station, that sent a corrupt politician to jail. Or that resulted in widespread and lasting structural reform. Or that forced a change in official policy. Or that prepared citizens for an impending crisis (inflation, municipal bankruptcy, educational funding, energy shortages, labor negotiations).

He would, however, have witnessed unending reports on sex fantasies. And runaway wives. And U.F.O.s. And celebrities. And fires. And murders. And accidents.

And, oh yes, the weather and sports.

On April 7, 1976, I tuned into the six o'clock *Eyewitness News* on Channel 7, the ABC-owned station in Chicago. The evening was chosen at random. Here is an item-by-item account of the stories broadcast in the ensuing hour.



The newscast's lead story, the equivalent of a newspaper's banner headline story, dealt with a manhunt by Chicago police for a murder suspect. There was lengthy on-the-scene film footage of policemen dashing along sidewalks to surround a South Side school building in which the suspect was reported to be hiding. There were quick-cut close-ups of cops wearing sunglasses and brandishing shotguns. The Channel 7 camera panned along the excited faces of the people in the neighborhood who had gathered to watch. Then the action cut to the story's "climactic" moment: close-up footage of a suspect being forcibly escorted from the school building by two policemen.

At the conclusion of all this drama and excitement, the *Eyewitness News* reporter provided the story's denouement: the suspect was not the real murderer, but an innocent man. The real murderer was not at the school building, after all—something that the *Eyewitness News* producers knew, of course, before they put the footage on the air. The lead story had amounted to a few minutes of meaningless titillation.

Co-anchor Nancy Becker read an item stating that Chicago Mayor Richard J. Daley had introduced a "prostitute ordinance" in the City Council. Behind her appeared an orange drawing of a woman in an elaborately flowered hat.

Anchorman Joel Daly narrated a report that F.B.I. agents had secured indictments against twelve persons dealing in stolen goods. There was a film clip of a United States attorney holding up a captured automatic weapon.

Reporter Rosemarie Gulley, in the field, interviewed a small boy who had overheard a telephone conversation between crooks at a grocery store and had turned the crooks in. Beneath the boy's face was superimposed the legend "Kid Hero." Gulley concluded that the boy's performance demonstrated that "little people can be big people."

There was a report on a controversy involving the chairman of the Chicago area's Regional Transportation Authority and suburban R.T.A. board members, who wanted the

chairman thrown out. In separate film clips—taken at news conferences—the chairman and the suburban group's spokesman were shown making disparaging remarks about one another.

A field reporter narrated a lengthy on-the-scene story, with a heavy larding of "wry" humor, on the failure of the Michigan Avenue bridge to rise and allow a small sailboat to proceed down the Chicago River. There were numerous shots of pedestrians along the bridge rail, and of the lines of stalled traffic. There was a long concluding shot of the small sailboat turning in a circle.

Weatherman John Coleman strode on camera. Behind him was a chroma-key shot of a forsythia bush. The camerawork made it appear as though Coleman were standing beside the bush. Coleman expressed comic wonderment that the forsythia bush was taller than his head. He pretended to cut a branch from the bush, and by sleight of camera a real cutting appeared in his hand. Coleman presented the cutting to Nancy Becker, who shook her head in wry amusement. Then Coleman proceeded with the weather forecast, standing before a backdrop that included a cartoon drawing of a clown.

This segment—from the opening, bogus "manhunt" footage to Coleman's forsythia-clipping performance—consumed fifteen minutes of the hour-long newscast. There followed the first commercial break.

After the break, Coleman completed his forecast. A bit of Happy Talk ensued, in which anchorman Daly (in the role of Dr. Interlocutor) allowed as how he didn't care about the weather; he had already planned his next trip to New York. Coleman (Mr. Bones) rolled his eyes skyward and silently beseeched the heavens to deliver him from this madness. The rest of the *Eyewitness News* team whooped it up at this uproarious exchange.

Daly then read off a series of brief items: An old-time



Chicago train station had burned down; an early-morning explosion had "ripped through" a building; work crews had righted an overturned truck on an expressway (there were film clips of work crews righting the truck); a roadway had been closed while firemen hosed away gasoline. Commercial break.

Feature reporter Frank Mathie was next. He did an on-location "standup" from the South Shore YMCA, about an instructor who teaches children to swim by tossing them into the deep end of the pool.

Daly then introduced sportscaster Mike Nolan (a recent addition to the *Eyewitness News* team) who, in turn, introduced a film report from Augusta, Georgia, concerning the Masters Golf Tournament. In the report, an ABC newsmen asked a golfer whether he was going to get the ball up higher before the tournament started, or if he had got it up as high as he wanted it. The golfer commented favorably on the blooming of the flowers about the golf course.

Back in Chicago, said Nolan, City Hall was saluting the state basketball champions. There was a filmed vignette of Mayor Daley presenting a trophy.

"Action 7" reporter Bob Petty was up next. Petty interviewed a man described as an "auto buff." "Action 7" is, putatively, WLS's consumer-ombudsman feature.

There was another commercial break. Frank Mathie returned to the screen in his role as Channel 7's "Gee, I'd Like to Try That" reporter. Mathie — whom viewers had seen playing the roles of housewife, bartender, country-western singer, and so on — was now trying out for stage manager of the Evanston Concert Ballet. In a film clip, the *real* stage manager, Nancy Sawyer, showed Mathie how to call for light cues. The clip concluded with Mathie calling for light cues and ending up in total darkness. Mathie's punchline: "This is Frank Mathie, Channel 7 *Eyewitness News* — I think!"

The camera returned to Coleman, who was doing a pirouette, with his hands clasped high above his head. Coleman lisped to no one in particular: "Did you notice? Topless ballet in my home town! What's this world coming to?"

Not even the WLS *Eyewitness News* team — normally responsive to a degree bordering on the feral — could think of a rejoinder to that remark, so Coleman continued with yet another weather report, which included some information on a "stellar eclipse."

"Is there anything in the stars for me?" Mike Nolan leaned forward to ask, with a suggestive wink at Coleman. Nolan, curly-haired and prognathous, had quickly been cast as the *Eyewitness News* team's resident roué. Coleman and Daly responded to Nolan's question with wry shakes of their heads, accompanied by knowing chuckles. Nancy Becker looked away; she was the long-suffering (but amused) feminist foil in scenarios such as this one — a sort of latter-day Jane Wyman.

Joel Daly recapped the results of the Wisconsin and New York presidential primaries.

To properly appreciate what happened next on America's most profitable television news program, a little background is in order.

By April 7, 1976, the presidential campaign of Democratic candidate Jimmy Carter had already begun to be the object of controversy. Newspaper and magazine articles were critically examining the consistency of Carter's public pronouncements on civil rights, welfare, public housing, and other touchy domestic issues. As Carter's campaign surged forward from victory to victory in the early months of 1976, the need for a clear accounting of his policies became increasingly apparent. How did he answer the apparent contradictions noted in his record? What were the points of departure between his stands on, say, farm price supports, and those of Henry Jackson?

On April 7, the day after Carter won Wisconsin, Channel 7 sent its veteran "political editor," Hugh Hill, along with a camera crew, to probe the former Georgia governor's *Weltanschauung*.

Hill caught up with Carter at the Milwaukee airport. In true *Front Page* tradition, Hill buttonholed the great man. Viewers of the *Eyewitness News* saw their nightly source of political wisdom and insight, trenchcoated and looking serious indeed, right there on TV with a prospective president. It was a grand and dramatic moment.

Hill had the opportunity for one question. Though brief, it constituted a veritable textbook on *Eyewitness News* assumptions, values, and priorities.

"At this point, Governor," demanded Hill, "after you've won in Wisconsin, is there anybody who can beat you?"

Carter opened his mouth to answer, then paused a beat as if in disbelief. This question was not just a "softball," of the type Carter often received from the electronic press. This one was a medicine ball.

Carter studied Hill with amusement in his glittering blue eyes. Then he smiled his as-advertised smile and explained into Hill's hand-held microphone, as patiently as though he were a father answering a child's query as to why the sky is blue, that it was too early to tell, but that he was definitely ahead.

Back in the Channel 7 *Eyewitness News* studio, there were more items: the death of a radio personality; the Wall Street Dow Jones averages; a quote from a suburban town president.

Rosemarie Gulley did a brief report, with film footage, about a program to combat drug abuse in Chicago elementary schools.

"Stay tuned now," concluded Joel Daly, "for *The Bionic Woman*."

What better lead-in to *The Bionic Woman* than the Bionic Newscast? The hour just concluded in the name of journalism was, in fact, a glistening example of cybernetic news.

In every important area, on this night as on most nights, the WLS *Eyewitness News* team had followed a meticulous and familiar blueprint for audience-building, in which journalism played a secondary role at best.

The blueprint, which is painstakingly thorough, offers procedural recommendations for virtually every second of an electronic newscast. A few of its major requirements are

instructive as they relate to the newscast just described:

□ A high story-count, with a short amount of time devoted to each story. Including John Coleman's various weather appearances, the sports items and the features, Channel 7 covered twenty-four stories in that hour. Subtracting sixteen minutes for commercials and another two or three for the opening, for transitions, and for clipping forsythia bushes, the average time allotted to each story was something under two minutes.

But this average is misleading. Weather and sports consumed a disproportionately large amount of time, as did the opening "murder suspect" piece. These elements reduce the average story time to little more than one minute.

□ The use of "visuals," preferably film footage, wherever possible. Film footage creates "audience interest" and adds "color and vitality" to a TV newscast. This explains why WLS used as its lead story a film-accompanied report that was long on visual excitement — cops and crowds — but utterly devoid of hard news value (nothing had happened).

□ A "team atmosphere," emphasizing warmth and friendliness, among the principal news personalities.

□ Use of an "action" reporter to create a feeling of the station's "involvement" with the community. Bob Petty's interview with the "auto buff" was a poor example of his ombudsman role, but Frank Mathie, acting as a surrogate viewer in his "Gee, I'd Like to Try That" series, personified a refinement of the technique.

□ Simple stories; an effort to stay away from the "stiff and formal" approach; a style that is easy to understand.

In all, the April 7, 1976, early-evening newscast on WLS-TV was distinguished less by what it *told* viewers than by what it *appeared* to tell them.

WLS appeared to deliver information about (among other things) a major criminal search in the area, a mayoral assault on prostitution, a transportation crisis, the duties of a stage manager at a suburban ballet and the thoughts of a presidential candidate.

In fact, WLS did almost nothing of the sort. It did not deliver information about a major criminal search (assuming such information would be of any use to a viewer); it showed disconnected film footage of police and crowds in one specific neighborhood. Moreover, the pointlessness of the film was concealed until the end.

It delivered limited information on Mayor Daley's prostitution ordinance. But in doing so, WLS overlooked Daley's companion proposal, one which was soon to eclipse the prostitution legislation in civic debate: an ordinance, aimed at movies, which would ban not only obscenity and nudity, but also filmic violence such as "cuttings, stab-bings, floggings, eye gouging, brutal kicking, and dismemberment." This controversial proposal was to be described by *Variety* as a potential national model for legislating violent films. Perhaps the prostitution ordinance lent itself more easily to a striking "visual."

In its transportation-crisis story, WLS built its emphasis around pictures of personalities in conflict: the R.T.A. chairman against the suburban board members. Missing was an explanation of the issues that forced the confrontation.

The suburban ballet "stage manager" story was really

the story of likable Frank Mathie, the viewers' surrogate, proving once again that he was a klutz.

And in the Hugh Hill-Jimmy Carter vignette, what counted was not so much what Carter said — Hill could as well have asked him about the pennant chances of the Milwaukee Brewers — as the visual imprint of Channel 7's Hill *being there*, on the scene, on the case, alongside celebrity Carter. Again: the *sense* of Channel 7's involvement without the substance.

The newscast amounted to a good deal of self-aggrandizement for the Channel 7 *Eyewitness News* product, and little in the way of useful information — little sense of community, of ongoing, integrated issues and concerns, of attempts to dig beneath the surface for more enduring truths and subtle shadings. It was a glib, delicious, but empty newscast — a Twinkie of the airwaves.

But perhaps WLS had a plausible excuse. Perhaps it was just a bad day for news.

An examination of the following morning's edition of the *Chicago Tribune* indicates that this was not the case.

The April 8 *Tribune* did not mention the manhunt "story" that WLS had led with — not surprising, since there was no story apart from Channel 7's home movies. The *Tribune* did give front-page display to two items on the WLS newscast: the report on F.B.I. agents' having obtained the twelve indictments against persons dealing in stolen goods was the banner headline, and the R.T.A. transportation feud was prominently displayed.

Inside, the *Trib* gave a fuller and more coherent account of Mayor Daley's anti-prostitution ordinance (actually, as the newspaper made clear, a move against massage parlors) and explained the national significance of the mayor's attempt to legislate against violent films.

There were no items on Kid Heroes or bridges that would not rise or swimming instructors who tossed kids into the deep end of the pool. There were, however, some other stories that were missed by Chicagoans who depended on the WLS *Eyewitness News* for all of their information.

Among these stories were:

□ A detailed analysis of suburban Oak Park's controversial school reorganization plan, which had significant racial implications.

□ A report that taxpayers in the eight-county Chicago area paid more federal income tax per taxpayer in 1974 than did taxpayers in any other of the nation's thirty biggest metropolitan areas — the thrust being that the older productive American cities are being shortchanged, if not swindled, by the flow of federal income taxes.

□ A prediction from the paper's environment editor, Casey Bukro, that Illinois would become the twenty-third state in 1976 to challenge the growth of nuclear power in the United States. Bukro reported that a state representative planned to introduce a bill calling for a five-year moratorium on nuclear-power-plant construction.

□ A piece, by "blue-collar" columnist Mike LaVelle, that detailed the efforts of the Amalgamated Clothing and Textile Workers Union to organize bank employees in the Chicago area. LaVelle reported that a Department of Labor

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Local TV news: mosts and least

Raw statistics on local television news and public affairs are a little like official figures on gasoline mileage: They tell you how far you can go, but not the kind of ride you get. Similarly, the statistics offered here tell what proportion of a station's broadcast time is devoted to locally produced news and public-affairs programs, but do not indicate whether the material is substance or fluff, reportage or stunts. Yet it is certain that no station can make a serious effort in news without setting aside sufficient time for it, so these figures show at least the stations that have taken the most and least adequate first steps.

These compilations, based on reports filed with the Federal Communications Commission, were assembled by Marilyn Brown and David Honig of Howard University for *access*, monthly publication of the National Citizens Committee

for Broadcasting. They are the latest in a series begun in 1973 when Nicholas Johnson, having retired as an F.C.C. commissioner, issued his *Broadcasting in America*, a survey of local programming and employment policies. Follow-up surveys for 1974 and 1975 have appeared in *access* issues number 3 and 23. The 1976 tabulation appeared in number 47 (January 1977). Like its predecessors, it does not cover all stations, but only network affiliates in the fifty largest "markets" (metropolitan areas), a total of 140 of the 700-plus commercial stations on the air. These stations reach two-thirds of the viewing households in the United States.

The 1976 tabulation shows that the median station in this group devotes 6.9 percent of its air time to local news and 2.4 percent to public-affairs programming — a total of 9.3 percent. The single station that most closely conforms to this profile — and thus the "average" station in 1976 — was WBNS-TV in Columbus, Ohio, a CBS affiliate owned by the Wolfe family, which also owns a local daily, the *Dispatch*. At left are tables showing the stations that were outstandingly high and outstandingly low in news-public affairs air time. Two other tables at right show similar rankings among seventeen groups (owning sixty-seven stations).

Some observations:

There is a wide gap between the most and least generous allocations of air time to news and public affairs. The top ten stations devote, on the average, nearly three times as much time to such programming as do the bottom ten, and between WCVB-TV, Boston, the top station, and WNGE-TV, Nashville, on the bottom, there is a fourfold difference.

Newspaper-related stations (the kind of cross-ownership threatened in a recent federal court decision; see page 38), tend to rank high; stations owned by *The Washington Post*, *Dallas Morning News*, and the *St. Louis Post-Dispatch* all appear in the top ten. By contrast, the bottom list contains owners with no special commitment to journalism — General Electric, the Outlet Company, Twentieth-Century Fox, Bonneville International.

**TOP TEN STATIONS:
SHARE OF TIME DEVOTED TO LOCAL NEWS AND PUBLIC AFFAIRS**

Station	City	Affiliation	Ownership	% local news	% public affairs	total
WCVB-TV	Boston	ABC	Independent: Boston Broadcasters, Inc.	11.3	5.4	16.7
WBZ-TV	Boston	NBC	Group: Westinghouse	9.7	5.4	15.1
WNBC-TV	New York	NBC	Group: NBC	9.3	5.5	14.8
WTOP-TV	Washington	CBS	Group: Post-Newsweek	9.7	4.8	14.5
WFAA-TV	Dallas	ABC	Group: Belo (Dallas Morning News)	10.4	4.0	14.4
KYW-TV	Philadelphia	NBC	Group: Westinghouse	9.9	4.4	14.3
WFSB-TV	Hartford	CBS	Group: Post-Newsweek	8.3	6.0	14.3
KSD-TV	St. Louis	NBC	Group: Pulitzer (St. Louis Post-Dispatch)	10.8	2.9	13.7
KDKA-TV	Pittsburgh	CBS	Group: Westinghouse	7.2	6.5	13.7
KABC-TV	Los Angeles	ABC	Group: ABC	10.3	3.3	13.3

**BOTTOM TEN STATIONS:
SHARE OF TIME DEVOTED TO LOCAL NEWS AND PUBLIC AFFAIRS**

Station	City	Affiliation	Ownership	% local news	% public affairs	total
WNGE	Nashville	ABC	Group: General Electric	3.3	0.8	4.1
WTHR	Indianapolis	ABC	Group: Dispatch (Columbus Dispatch)	3.8	0.7	4.5
KSAT-TV	San Antonio	ABC	Group: Outlet Co. (department stores)	3.6	1.3	4.9
WLOS-TV	Asheville, N.C.	ABC	Group: Wometco	4.3	0.8	5.1
KOCO-TV	Oklahoma City	ABC	Group: Combined Communications	3.9	1.3	5.2
WDAF-TV	Kansas City	NBC	Group: Taft Broadcasting	4.7	0.6	5.3
KMSP-TV	Minneapolis	ABC	Group: Twentieth-Century Fox	4.6	1.0	5.6
WZZM-TV	Grand Rapids	ABC	Independent: W. Michigan Telecasters, Inc.	4.9	0.7	5.6
KSL-TV	Salt Lake City	CBS	Group: Bonneville International (Mormon church)	5.2	0.5	5.7
WKZO-TV	Kalamazoo	CBS	Group: John E. Fetzer stations	4.2	1.7	5.9
WSPA-TV	Spartanburg	CBS	Independent: Spartan Radiocasting	4.7	1.2	5.9

Some cities' viewers seem to be better served than others'. The greatest share of local news and public-affairs time is available in Boston, New York, Los Angeles, Washington, and Dallas-Fort Worth. Among the top fifty markets, those receiving the least are Greenville-Spartanburg, South Carolina; Salt Lake City; Grand Rapids-Kalamazoo; the Norfolk, Virginia, area; San Antonio; and Syracuse.

J.B.

TOP FIVE BROADCAST GROUPS: SHARE OF TIME DEVOTED TO LOCAL NEWS AND PUBLIC AFFAIRS

Group	Stations and cities	mean % local news	mean % public affairs	total
Post-Newsweek	WTOP-TV, Washington WFSB-TV, Hartford WPLG-TV, Miami	8.4	5.3	13.7
Westinghouse	WJZ-TV, Baltimore WBZ-TV, Boston KYW-TV, Philadelphia KDKA-TV, Pittsburgh KPIX, San Francisco	8.4	5.0	13.4
ABC	WABC-TV, New York KABC-TV, Los Angeles WLS-TV, Chicago KGO-TV, San Francisco WXYZ-TV, Detroit	8.6	3.6	12.2
NBC	WNBC-TV, New York KNBC, Los Angeles WMAQ-TV, Chicago WKYC-TV, Cleveland WRC-TV, Washington	8.2	3.7	11.9
Corinthian	KXTV, Sacramento WISH-TV, Indianapolis KHOU-TV, Houston	7.2	4.0	11.2

BOTTOM FIVE BROADCAST GROUPS: SHARE OF TIME DEVOTED TO LOCAL NEWS AND PUBLIC AFFAIRS

Group	Stations and cities	mean % local news	mean % public affairs	total
Outlet Co.	WBDO-TV, Orlando WJAR-TV, Providence KSAT-TV, San Antonio WNYS-TV, Syracuse	5.0	1.9	6.9
Taft	WDAF-TV, Kansas City WGR-TV, Buffalo WKRC-TV, Cincinnati WTVN-TV, Columbus, Ohio	5.0	2.0	7.0
Avco	WLWC, Columbus, Ohio WLWD, Dayton WLWT, Cincinnati WTHR, Indianapolis KMOL-TV, San Antonio	6.0	1.2	7.2
Newhouse	KOIN-TV, Portland, Oregon KTVI, St. Louis WSYR-TV, Syracuse	6.5	1.5	8.0
Combined Communications	KTAR-TV, Mesa (Phoenix) KBTX, Denver WXIA-TV, Atlanta KOCO-TV, Oklahoma City	5.9	2.7	8.6

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study of the Chicago area had revealed "glaring evidence of discrimination" against women in banking jobs.

None of these stories was particularly "colorful" or "vital." None lent itself to illustration by "visuals" — certainly not film footage. None could be adequately reported in a minute and thirty seconds. None could be enhanced through a "team atmosphere" among reporters or by an emphasis on "warmth" and "friendliness."

What the stories had in common was a connection with the ongoing, everyday concerns of the people in the *Tribune's* coverage area. Without being spectacular or dramatic or "effective" in the sense of uncovering scandal and sending rascals to jail, the stories nevertheless had utilitarian value. They were reference points, indicators of the ways things were, should anyone care to try to change them (or to manage more equably within the status quo). But caring is one of the few variables that is not factored into the blueprint for the cybernetic newscast.

When local stations create and choreograph entire news programs along guidelines supplied by researchers — toward the end of gratifying the audience's surface whims, not supplying its deeper informational needs — an insidious and corrosive hoax is being perpetrated on American viewers through a system that implicitly asks, and has been granted, their trust. The hoax is made more insidious by the fact that very few TV newscasters are aware of what information is left out of a newscast to make room for the audience-building gimmicks and pleasant repartee.

When evidence of these and similar intrusions into the conventional journalistic process is presented to television audiences, two things could happen.

The audiences could, by their indifference, indicate an endorsement of developments — and, by extension, indicate that their traditional requirements of American journalism have broken down under the imperatives of technology, marketplace primacy, and the inertia of public will. It is the fundamental aim of journalism to arm the citizen intellectually to make decisions about how to protect his well-being. If the citizen feels powerless, in a mass society, to exercise personal control over his well-being in the first place, then perhaps cybernetic news, news as nonfiction entertainment, is the wave of the future, an index of human evolution. The diminishing percentage of active voters among those eligible to vote is a statistic that lends credence to this possibility.

Or, a minority of citizens within the mass audiences — a minority that perhaps may not be persuasive on the scale of TV's competitive viewing requirements, but which nonetheless contributes leadership to neighborhoods, communities, cities, and the nation — could assert its proprietorship over the airwaves and demand reform. This minority has already been effective, on a grass-roots level, in several areas of broadcast policymaking. The most notable example is the success of Action for Children's Television, a Boston-based group of concerned parents who have raised the standards of Saturday morning programs and commercials aimed at young children. Other citizen-interest groups

with effective watchdog credentials include the communications office of the United Church of Christ and the Washington-based National Citizens Committee on Broadcasting, headed by the former citizens'-advocate commissioner of the F.C.C., Nicholas Johnson.

Such organizations are of interest not only as referral sources for those interested in protesting cybernetic news, but also as prototypes for new groups that could be formed specifically for that purpose. A monitoring project undertaken for the DuPont-Columbia survey by the American Association of University Women analyzed the news content of half-hour news programs of 262 local TV stations across the country. Similar monitoring projects could be organized within a given community by church, P.T.A., or other civic groups. The newscasts of a certain station could be taped and transcribed over a given period — a week or a month — and the content could then be collated and compared with that of local newspapers, or the group's own personal knowledge of what is (and is not) happening within the community.

What would be done with the results of these surveys?

Representative Lionel Van Deerlin, a Democrat from California, is the chairman of the Communications Subcommittee of the House Interstate and Foreign Commerce Committee. This subcommittee could be called upon to open an investigation of the news-gathering and reportorial practices of local television stations.

The aim of any congressional hearings on TV news, of course, should not be to prescribe standards of broadcast journalism. Government-imposed standards would be as inimical to the integrity of TV news as are the standards suggested by consultants and researchers — more so, because they would carry the censoring force of a totalitarian stamp.

Short of suggesting standards, however, the hearings would offer for public scrutiny the organization and administration of television news. If there is widespread delegation of programming responsibility by television stations, in direct opposition to the provisions of the Communications Act of 1934, the public has a right to know of it — and has the right also to challenge the licenses of such stations. If it is now to the economic advantage of station managers to *hire* news consultants, perhaps it should be a matter of even greater advantage *not* to hire them.

And what, after all, does constitute the ideal newscast? There is no easy answer.

I have implied a somewhat narrow function of "news": to monitor and report on the conduct of public officials and others who exercise power over private citizens so as to assure openness, accountability, and the intelligent administration of community life. This sort of information, traditional wisdom has it, assures people of a clearer basis on which to make their political choices.

Obviously, this definition doesn't begin to encompass the full range of subjects and interests that "news" media in America have traditionally presented. Nor should it. Human beings are curious — randomly curious, illogically curious, morbidly curious. The news apparatus of a community should reflect that curiosity; in fact, it always has. Even *The*

New York Times has its "People" column, and *The Wall Street Journal* is not above gossiping occasionally.

The determining factor in the quality of a news-gathering agency, then, is its shared relationship with the community it serves. American newspapers — the predominant news form until twenty-five years ago — have always been parochial in outlook: published, edited, and written by people who have made long-term commitments to the city they cover, and who have a stake in its viability. The modular, transient nature of American business in the last twenty years has cut into this parochial tradition, to be sure; newspaper people move from city to city, as do middle-management executives and professional engineers. And the enticing economics of collectivism, in the form of burgeoning wire-service use and the use of "packaged" features, has added to the standardization of the local daily.

Nevertheless, the American newspaper, augmented by the rise of the suburban press and even by "alternative" weeklies, remains a voice of its environment: idiosyncratic, steeped in the complex history of local controversies and concerns, familiar with the performances of civic leaders. Its faults are several and familiar. It is too ready to accept "official" versions of controversial events, slow to accept social change as its host community is slow to accept social change, boosterish, encrusted with its own anachronistic biases. But through it all, the daily paper often manages to be a benign intervener, a flawed but generally diligent chronicler of the ongoing processes of a city's life.

The television news department, by contrast, has seldom been able to escape a colonial persona. It is an emissary to a community, not an indigenous product of it. Its reference point is time present; unlike the newspapers, the TV station seldom bothers to accumulate a reference library in which reporters can check the past coverage of an ongoing issue. Often (as is the case with the fifteen network-owned stations and the dozens of other "group" stations) the TV news staff responds to the pure marketing priorities of absentee ownership. The on-air men and women look and sound less like their fellow citizens than like some idealized product of genetic breeding. This may be good for viewers' sexual fantasies; it does not do much for a station's credibility. The anchor-gods and -goddesses seldom remain long in a given "market"; they are nomads, their aspirations fixed on New York, whence their loyalty often derives.

Television stations reap enormous profits from the communities they are licensed to serve. Annual pretax profits of between \$2 million and \$10 million, depending on market size, are not uncommon. Average rates of return on sales are consistently between 30 and 50 percent — robust figures indeed in the American industrial community.

Until local television news ceases to exploit the entertainment bias that is conditioned by its host medium, and shares some of the profit with its "market" in the form of comprehensive, compact newscasts, it is engaging in a pollution of the worst sort: a pollution of ideas. Its options should be the same as those of any polluter: Clean up the mess or pay the consequences. ■

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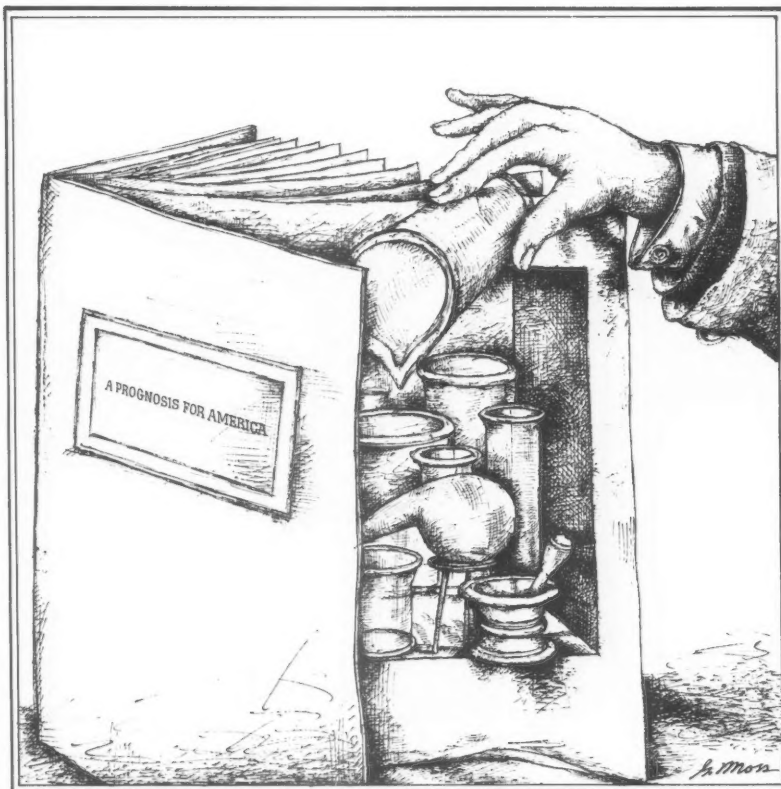
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The press in love

With an old
Robeson song
playing
in the background,
reporters covering
the Steelworkers'
election
gave their hearts
to Ed Sadlowski

by DAVID IGNATIUS

Last February, on the eve of the United Steelworkers election, *New Times* published a profile of the insurgent candidate for president of the union, Edward Sadlowski. The *New Times* piece was the last, and probably the most idolatrous, of a string of favorable pieces on Sadlowski that had been appearing in major newspapers and magazines in the months before the U.S.W. election. Indeed, it wouldn't be worth singling out but for the title, "Man of Steel."

An identical title had graced a hack biography written nearly twenty-five years earlier about David J. McDonald, the flamboyant and sometimes despotic Steelworkers president who preceded I.W. Abel. That biography, which some say was commissioned by McDonald himself, included such gems as "Summing up his career, the Man of Steel gazed out of a porthole [on his way to Europe] and said: 'The greatest influence on McDonald has been McDonald. You have to believe things and feel things for yourself. . . .'"

McDonald's puffery helped make him the laughingstock of the labor movement by the end of his career. A generation later, puffery of Sadlowski — lovingly dispensed by the press — made him a momentary liberal cult figure, as

David Ignatius reports from Pittsburgh for The Wall Street Journal.

in the *New Times* piece, which began: "Ed Sadlowski is a rebellious young labor leader at least as interested in workers' spirits as in their pocketbooks. 'How many Mozarts,' he likes to ask, 'are working in steel mills?'"

The press's infatuation with Sadlowski, an engaging but inexperienced young union official, and its corresponding dislike of the eventual winner in the U.S.W. election — Lloyd McBride, dubbed "colorless" almost before the campaign had begun — illustrates a peculiar bias that colors much current reporting on organized labor. One could almost call it a "class bias," so widely and strongly is it held in the substrata of America inhabited by reporters.

Older, conservative labor leaders like George Meany of the A.F.L.-C.I.O. and I.W. Abel of the Steelworkers tend to be treated by the press with considerable suspicion. Meany, for example, is often characterized as "cigar-smoking," which would be a trivial detail were it not a sort of shorthand for "boss." Similarly, Abel's name is often preceded by phrases like "\$75,000-a-year steelworkers chief," which is presumably intended to mean "overpaid."

Much of the time, the skepticism toward Big Labor is richly deserved. Modern labor leaders, like others who control large institutions, can be ruthless and short-sighted in pursuing their personal and interest-group goals. But, perhaps because of their roots in the mills and shops, labor leaders' big salaries and cigars seem to be viewed with a more jaundiced eye than those of their counterparts in corporate management. Rarely, for example, is the reader introduced to U.S. Steel Corporation chairman Edgar B. Speer as "\$425,000-a-year steel company chief," the amount of his salary and incentive compensation last year.

In sharp contrast with suspect labor fat cats, militant young union officials tend to be embraced by the press with almost unrestrained enthusiasm. This is especially true if, like Sadlowski, they are clever enough to take visiting inter-

viewers on a tour of the bookshelves at home, or treat them to rare recordings of old labor songs.

Consider this selection from a profile of Sadlowski in *The New York Times Magazine*: "He reaches for some of his favorite books, picks up *The Grapes of Wrath* and quotes Tom Joad saying: 'They can't beat us, pa, cause we're the people.' 'That may sound corny to you,' he says, 'but I believe it.'"

Or this excerpt from an interview Studs Terkel did with Sadlowski, which was shown on public television in January 1975:

TERKEL: Ed, you know, I got this crazy feeling, what you're looking for, in a way, is beauty, it's beauty.

SADLOWSKI: Well, beauty, in the respect that there's more to the good life than just earning a pay check and that. Now why shouldn't everyone be afforded an opportunity to see John McCormack when he was alive or a great tenor. . . . [John McCormack has been singing "The Rose of Tralee" in the background. This is followed by Paul Robeson singing "The Purest Kind of Guy," and by a discussion of labor songs.]

By such evocations of labor's past Sadlowski was able to establish himself in most press accounts of the U.S.W. campaign as the representative of the true, militant spirit of the working class, at least as conceived by reporters. Other indications of militance, such as a history of negotiating strong collective bargaining agreements, were ignored.

Part of Sadlowski's charm may have been that he was unsullied by the experience of major responsibility. His record as a union official was short and undistinguished, and it gave more evidence of personal ambition than of capacity to lead a 1.4 million-member union.

Yet few reporters attempted to weigh his qualifications for the job, even in mill-town papers in Pittsburgh and other cities. These simple facts went largely unreported: a thirty-eight-year-old, first-term U.S.W. director, Sadlowski had never negotiated a major contract, never pushed a major initiative on or-

ganizing or on health and safety, never taken a leading role in any union effort — in short, never given much indication that he was the sort of person to whom a steelworker would be likely to entrust his paycheck.

In covering the campaign for *The Wall Street Journal*, I was as guilty as most of my colleagues in allowing Sadowski to claim the aura of militance. Assigned to write a profile of him last summer, I made the pilgrimage to Chicago, listened to Paul Robeson singing "The Purest Kind of Guy," and toured the library. By the time I wrote my piece, I was hearing "inflections" of John L. Lewis "echoing" in Sadowski's speech. The lesson is obvious, but worth noting: Reporters who share with their subjects an intellectual interest in nostalgic labor trivia can easily be suckered into giving old-time rhetoric a more prominent place than actual performance in representing the economic interests of working people, which is — and always has been — a labor leader's principal task.

Press coverage of Sadowski's opponent, the "colorless" Lloyd McBride, portrayed him chiefly as a tool of the labor establishment's drive to crush the young dissident. Although there were usually obligatory references to him in election stories, I cannot recall any major profile of McBride. Rather than explore who McBride was and what sort of policies he might pursue (probably substantially more liberal than those of the Abel administration), most reporters picked up the Sadowski camp's line that he had been "hand-picked" by Abel in some sort of secret coronation rite.

The "hand-picked" implication appeared in so many stories (ranging from *New Times* to a column by Evans and Novak) that it almost acquired the force of fact. But in truth McBride had emerged as the U.S.W. establishment's candidate only after a bitter fight with the incumbent vice-president, John S. Johns. Abel openly supported McBride only after he had won consensus support from the union leadership.



Steelworker Sadowski: Was the adjective "rangy" really apt?

Two leads by respected labor writers give an idea of the gee-whiz mentality which overcame reporters in the presence of Sadowski, the hard-drinking, mean-cussing, Steinbeck-quoting steelworking man. The encounters often seemed to produce lapses in observation.

First, a column by labor writer John Herling which appeared in *The Washington Post* in late 1974: "A new labor star has been born. He is Edward Sadowski, 36, a rangy steelworker with the gift of hard-hitting eloquence. . . ." My quarrel is with the adjective "rangy." Sadowski has, and had at the time, a rather large belly sagging out over his trousers. But it wouldn't have aided the purpose of Herling's lead to have characterized him as a "pudgy steelworker with the gift of hard-hitting eloquence."

Second, a U.S.W. election piece by Lee Dembart in *The New York Times*: "Some people call Ed Sadowski the Jimmy Carter of the steel mills, with his

warmth and smile propelling his populist campaign for the Presidency of the United Steelworkers of America." Here the problem is a spurious analogy. It is unlikely that there are two more dissimilar individuals in America than Jimmy Carter and Ed Sadowski. One is short, thin, a Southerner, a farmer, and prim in speech and manner. The other is large, pudgy, from Chicago, an industrial worker, and given to punctuating most of his sentences with obscenities.

As I say, I was as guilty as most of my colleagues, and I'm left with this question: Why did reporters, as a group, tend to admire the romantic spirit of labor's past, as evoked by Ed Sadowski, but dislike its actual organized power and stability, as evoked by Lloyd McBride?

It seems just possible that reporters — having won for themselves both bread and roses in recent years — have taken to sneering at trade unionists who are still struggling for just bread. ■

The media's sweet tooth

Coverage of the proposed saccharin ban was sweet to industry but sour on science

by R. JEFFREY SMITH

In January officials of the Food and Drug Administration (F.D.A.) in Washington, D.C., announced they were monitoring closely a study in Canada of the relationship of the chemical sweetener, saccharin, to incidences of cancer. At 3:30 P.M., Wednesday, March 9, they learned with certainty of the Canadian government's intention to announce a proposed ban of saccharin after the Canadian stock exchange closed that evening.

Wayne Pines, a spokesman in the F.D.A. press-information office, already was preparing a news release announcing F.D.A. intentions simultaneously to ban saccharin in the U.S. He completed the release on Wednesday afternoon, after talking with officials of the Canadian Health Protection Branch.

Pines thought the Canadian release, which was read to him over the phone, was too long, but he incorporated several of its points in the F.D.A.'s ten-page announcement. Among those points were the Canadian findings that saccharin produced malignant bladder tumors — cancer — in rats, and the notation that the dosages of saccharin fed the rats were in excess of the amount a consumer would receive from drinking 800 twelve-ounce diet sodas daily for a lifetime. He added other details peculiar to the U.S. ban, particularly that the ban had been unequivocally required by the Delaney clause of the federal Food, Drug and Cosmetic Act. The Delaney clause prohibits the use in food of any ingredient shown to cause cancer in

animals or man. He also noted that saccharin was not "an immediate hazard to public health."

Almost without exception, major news media faithfully reprinted the dosage level notation (*U.S. News & World Report* printed the diet-industry figure of 1,250 cans of soda a day; U.P.I. quoted separate industry figures of 500 bottles a day for life and 800 cans a day for seven years). As a result, the central issue of the ban — the risk to humans of saccharin consumption — was grievously understated by news accounts that failed to explain properly the scientific evidence behind the ban. Seen in light of the implication in the F.D.A. statement that the ban was necessary more for legal than for medical reasons, the dosage level comparison made the ban appear to be ludicrous.

Only a few articles — including one by Boyce Rensberger in *The New York Times* and another by Steven Kelman in *The New Republic* — carefully explained that the tests and dosage levels followed accepted scientific practice. In two other studies of food additives that led to F.D.A. bans, cyclamate and red dye no. 2 were fed in similar massive doses to test animals. The laboratory studies of thalidomide, another drug banned by the F.D.A., required sixty times the dose that produced abnormalities in human beings in order to produce them in mice. According to a scientist writing for *The New York Times's* Op-Ed page, "Statements that humans would need to drink 800 soft drinks daily to equal the saccharin dosage received by rats are interesting anecdotes, but are totally irrelevant and without scientific credence."

Nevertheless, John Chancellor, on the *NBC Nightly News*, called the dosage levels "slightly unusual." Bruce Morton of CBS said the ban "seems a little hard on those of us who drink only one or two cans a day." Most articles quoted Congressmen or diet-industry officials who referred to "massive overdoses" (*The National Observer*), "unrealistically high amounts" and "ridiculous doses" (both U.P.I. and ABC-TV),

"skimpy evidence" (NBC and ABC) and "faulty science" (*The New York Times*).

A widely quoted source that criticized both the ban and the experiment was the Atlanta-based Calorie Control Council. The Council is funded by the saccharin and diet industry, but that fact was conspicuously absent from the news accounts of the networks, the wire services, and major newspapers and magazines that publicized the council's opposition to the ban. *The New Republic*, for example, dutifully recorded the charges of a council spokesman that "the F.D.A. doesn't even know what happened in Canada" and "the test was not of saccharin but saccharin impurities." Aside from the factual errors — F.D.A. officials had reviewed the test results with Canadian scientists in Ottawa and the distinguishing characteristic of the study was that it had been controlled to rule out possible ill effects of saccharin impurities — the article never identified the nature of the council, or the sources of its funding.

Similarly, a study conducted by Dr. Frederick Coulston of the Albany (New York) Medical Center, which showed no saccharin hazard to rhesus monkeys, was widely reported by *The Associated Press* and other media. It was never reported, however, that his study had been paid for not only by the F.D.A. (which was reported) but also by saccharin and sugar producers. "In more than 100 interviews, no one asked me about the private funding," Dr. Coulston said.

Many of the most flippant quotes received the most press attention. Marvin Eisenstadt, an executive of a saccharin-packing company, told ABC that "just because some rats up in Canada showed a problem is no reason to ban this product." Representative James Martin, a Democrat from North Carolina who initiated legislation to overturn the ban, was reported saying he was more concerned with diabetics "than I am a bunch of rats."

Few reporters appeared to be troubled by reporting the statements of officials of the 7-Up, Sucaryl, and Sweet 'n Low

R. Jeffrey Smith is a member of the class of 1977 at Columbia University's Graduate School of Journalism.



This U.P.I. photo, supplied by a p.r. firm, bore in part the following caption: "An employee displays the number of packets of Sweet 'n Low (one and a half million) a human would have to ingest in a year to get the equivalent amount fed rats that led to the proposed FDA ban on saccharin."

companies, to the exclusion of any individual or group supporting the ban. U.P.I. quoted spokesmen for the National Soft Drink Association, and the A.P. publicized a bill introduced by Representative Andrew Jacobs of Indiana to legalize saccharin if it carried the warning: "The Canadians have determined that saccharin is dangerous to your rat's health."

Statements such as these shaped the general perception that the ban was arbitrary and without scientific basis. ABC-TV reported one woman's reaction: "From what I read the quantities have been so extensive that no human being is ever going to possibly consume that much saccharin or sugar substitute." Congress called hearings to consider repeal of the ban and of the Delaney clause. Much of the reaction seemed exaggerated, however. ABC breathlessly reported on March 10 that F.D.A. telephones were "jammed by protests from the nation's 50 million diabetics, dieters, and their doctors" — presumably they were not all phoning at once. Edith Asbury of *The New York Times* reported wistfully that "other store managers reported that their customers had not reacted, yet."

A review of major news sources also turned up frequent outright errors. Barbara Walters of ABC-TV, for example, reported on March 9 that the "F.D.A.

today banned saccharin"; U.P.I. reported the ban would take effect in thirty days; and David Brinkley of NBC-TV reported it would take effect in sixty days. A reasonably careful reading of the F.D.A. press release would have revealed that the ban was unlikely to take effect for at least 120 days. Also, in the Canadian experiment, seventeen of 200 rats had developed bladder tumors. *Time* reported the figure as eleven of eighty-two and *Newsweek* reported it as thirteen of 200 (U.P.I. and NBC just reported incomplete totals). *The New York Times* quoted the assertions of the voluble Marvin Eisenstadt that "one rat in a million got it."

For the most part, media seemed unwilling to go much beyond diet-industry propaganda. *Business Week*, a partial exception, pointed out that most of the demand for saccharin after the announcement of the intended ban was from industrial users, not dieters. Rensberger, in another *New York Times* article, effectively challenged the assumption that saccharin was necessary for dieters, or indeed even helped them to lose weight.

Eventually, the coverage became less one-sided, particularly after the Congressional hearings began on March 21. *The Washington Post* identified the Calorie Control Council's funding on March 26, and other publications began to reflect accurately the probability of hazard to human users of saccharin. Edward Edelson of the *New York Daily News* and Robert Merry of *The National Observer* wrote balanced accounts several days after the ban announcement. Richard Lyons, of *The New York Times*, admitted that "the initial coverage left a lot to be desired." He noted that the F.D.A. press conference had been called shortly before most reporting deadlines, and on a day when Washington was preoccupied with the siege by Hanafi Moslems.

The story was not a new one, however. Few accounts reflected the fact that concerns over the safety of saccharin dated back to 1907, and that the F.D.A. had previously restricted saccharin use after other tests had linked it with cancer, although both facts were included in the F.D.A. release. The Delaney clause itself has been a source of

controversy since 1973, when F.D.A. officials first indicated that small amounts of carcinogens were beginning to be detected in common foodstuffs. F.D.A. officials said then that the Delaney clause was too stringent, and new legislation was needed to allow supposedly tolerable amounts of such carcinogens in common food.

The presence in human food of small amounts of substances that cause cancer is a recurring problem. Richard Zare, professor of chemistry at Columbia University, for example, is now working on a study for the National Cancer Institute of aflatoxin, a chemical left behind by fungus on moldy grain. His preliminary research indicates that aflatoxin, a known cause of liver cancer in humans, is carried along in small amounts through the milling process and into grain and peanut products. Under the Delaney amendment, all of those products would have to be recalled by the F.D.A. As a result of improved detection methods, "We're finding these new hazards every day," an F.D.A. spokesman said, "so many people in the F.D.A. bureaucracy would like to see the Delaney clause changed." Zare said he can't say that small amounts of aflatoxin are not hazardous, because it may be an accumulative poison. He supports a change in the Delaney clause to allow a chemical-by-chemical review of carcinogenicity, however, as do some officials at the F.D.A.

This appears to be the real story behind the saccharin controversy. Pines said recently that the F.D.A. would have banned saccharin even without the Delaney clause because of the ban by a neighboring country. He denies any intention by the F.D.A. to force a Delaney clause change, but admits that "we want to encourage discussion of the clause." Because the proposed saccharin ban was presented in a manner that brought the Canadian scientific evidence into question, discussion of the clause certainly was encouraged.

The real story was not the proposed ban itself, but the climate of opinion it created for repeal of the Delaney clause. If the clause is repealed, the result would almost surely be higher levels of proven carcinogens in our food. This was the story that the media and the public missed. ■

Jet Performance: Doing More With Less

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They did all of this while using 800 million gallons *less* fuel than in 1973 when the fuel crunch hit. It's a conservation record few other industries can match.

Here at a glance is the airline performance checklist for 1976:

Safety—Best year in commercial aviation history.

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Freight—Ton miles carried exceeded 5 billion for first time.

Mail—Eight out of every 10 first class intercity letters moved by air.

Fares—Average cost per mile

to air travelers rose less than the Cost of Living Index. New fares are making air travel even more of a bargain.

Earnings—On revenues over \$17 billion, earnings were about \$400 million—or just over 2¢ on each dollar—half the U.S. industry average.

Fuel Conservation—Compared with 1973, airlines used 8% less fuel while carrying 21 million more passengers—a 19% gain on passengers carried per gallon.

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As the predominant intercity public transportation system, the airlines will continue to help meet the nation's energy challenge while keeping America on the move.

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No news from the press room

Corporate resistance, newspaper silence —
and a stymied federal investigation of health hazards
in printing plants

by JON SWAN

For more than a year now *The New York Times*, the *Chicago Tribune*, and the *Chicago Daily News*, all of which routinely investigate other institutions, have barred from their press rooms a team of medical investigators contracted by a federal agency to study the toxic effects of chemical agents that are being used there. The federal agency is the National Institute of Occupational Safety and Health (NIOSH), a branch of the Department of Health, Education and Welfare; the research team is a group from the Environmental Sciences Laboratory of the Mount Sinai School of Medicine of the City University of New York. More recently, the *New York Post* and the *New York Daily News*, a subsidiary of the (Chicago) Tribune Company, joined the papers barring the research team.

Thus, as of this writing, in early April, five major newspapers were, in effect, defying a federal agency whose mandate under the Occupational Safety and Health Act of 1970 is to carry out investigations and make recommendations on safety and health standards.

This battle of wills began in the fall of 1975, shortly after NIOSH awarded the study contract to the Mount Sinai team. (The investigation, which is industry-wide, includes taking air samples in press rooms and studying the causes of death among press-room personnel in selected letterpress, lithography, rotogravure, and newspaper companies.) In October and November of that year, members of the research team and of NIOSH first contacted corporate officials of the two Chicago papers. In January 1976, after calling and writing officials of the Chicago papers to no effect, members of the team and of NIOSH presented themselves at the printing plant of the *Chicago Sun-Times* and *Daily News*, where lawyers told them they did not think the team had the right to enter the plant and refused to let them in. Since the same labor law firm was advising the Tribune Company, NIOSH did not attempt another confrontation there.

In New York, project director William Nicholson, of Mount Sinai's Environmental Sciences Laboratory, had called Dr. Howard Brown, the Times Company's medical director, to explain the purpose and scope of the NIOSH investigation and to request permission to enter the Times plant. According to Nicholson (Brown declined to speak with me), Brown said he would have to consult with the

company's lawyers and other officials. When Brown called back, he said — again according to Nicholson — he had been informed that the Times Company would not admit the team on the ground that the Environmental Sciences Laboratory might be involved in workmen's compensation suits involving pressmen. This, of course, is an argument that could be used to bar any research team attempting to investigate any industry. (No member of the Mount Sinai team has been involved in such suits involving pressmen; some have, however, provided medical advice to asbestos workers seeking compensation for asbestos-related diseases.)

Stymied in its attempt to gain access to newspaper press rooms, but finding the doors of the press rooms of letterpress, lithography, and rotogravure companies open to them in Chicago, New York, and Washington, D.C., the Mount Sinai team went ahead with its study of them. NIOSH, meanwhile, was reluctantly considering suing individual newspaper companies to gain access. To obviate this drastic move, NIOSH officials decided to hold a meeting in New York City to explain the team's project plans and work to date to representatives of The New York Times Company, New York News, Inc., the New York Post Corporation, and the American Newspaper Publishers Association. The date set was December 2, 1976. NIOSH officials say the date was chosen after consulting with an A.N.P.A. Research Institute staff member; A.N.P.A. officials say they were notified of the meeting only four days before it was to be held and that December 2 was the date of the association's annual board meeting; thus, nobody could attend. In any event, the A.N.P.A. declined to send representatives to the meeting, as did also the Times, Post, and News companies. The contretemps was symptomatic of the bad feeling that, by then, had built up between the A.N.P.A. and NIOSH.

By December, corporate officials of the *Times* and the *New York Daily News* (and, to a lesser extent, the *Post*) had adopted the position held and propagated by the A.N.P.A. and, in particular, by William D. Rinehart, vice-president/technical of the association's research institute — namely, that while an objective investigation of newspaper press rooms would be welcomed, the Mount Sinai team's findings would reflect the alleged pro-union bias of Dr. Irving J. Selikoff, head of the Division of En-

vironmental Medicine at the Mount Sinai School of Medicine and director of its Environmental Sciences Laboratory. Perhaps best known for his work on asbestos-related diseases, Dr. Selikoff is a recipient of the American Public Health Association's Albert Lasker Award in Medicine, which he was given in 1955 for his work on a drug cure for tuberculosis, and of the Annual National Award of the American Cancer Society, which he received in 1976 for "his pioneering exploration of the relationship between the environment and cancer in humans, for developing new approaches to check potential carcinogens, and [very much to the point in this dispute] for continually advocating the need to safeguard the lives of workers."

The sparsely attended December 2 meeting called by NIOSH in New York afforded the city's newspapers an opportunity to cover a story involving potential hazards affecting their own employees — or, looked at from another angle, a story about the newspapers' refusal to cooperate with a federal agency. Neither the *Times*, the *News*, nor the *Post* considered the story newsworthy. So far as I was able to ascertain, the closest the *Times* came to touching on the subject was in a late-December series on NIOSH's much-abused sibling in the Department of Labor, the Occupational Safety and Health Administration, or OSHA; a December 20 article by Paul Delaney, bearing a St. Louis dateline, was headlined WORK SAFETY INSPECTOR CAN ENTER PLANTS BUT USUALLY ISN'T WELCOME.

The *Wall Street Journal*, alone of the city's dailies, covered the story. Staff reporter Gail Bronson's article, which appeared on December 3 under the headline FEDERAL UNIT INVESTIGATES PRESS ROOMS, PRESSMEN MORTALITY TO EVALUATE HAZARDS, succinctly covered a lot of ground. After explaining the purpose of the NIOSH study and pointing out that it was not limited to newspaper press rooms but was industry-wide, Bronson reported: "All companies under investigation with the exception of certain newspapers have been cooperative, the federal officials say." The parties described as offering "stiff opposition" to admitting the Mount Sinai team were *The New York Times*, *The New York Daily News*, and the American Newspaper Publishers Association Research Institute. (Bronson did not mention the *Post* in her article.)

Bronson also summarized the findings of two recent British studies involving deaths in the newspaper industry between 1952 and 1966, one of which found "for all manual workers [in the printing trades group studied] a 30-percent excess of deaths in London and 40 percent in Manchester from lung and bronchial cancer in that segment of the newspaper industry when compared with general-population expected death rates," the other finding that among printing workers "total malignancies were greater than statistically expected and that bronchial cancer accounted for many of the excess deaths." A third study, of 778 pressmen employed by The New York Times Company and carried out at the behest of that company by a New York University group, was also described. Published in 1972, it purported to show that conditions in the *Times*'s press rooms did not contribute to any significant excess in death rates. (The N.Y.U. study, it should be pointed out, was a

total mortality study — that is, it did not examine what caused specific deaths, as the NIOSH study is designed to do — and it concluded by stressing "the need for an industry-wide epidemiologic investigation," which the NIOSH study is.)

Possible hazards to workers' health were described by William Nicholson, project director of the Mount Sinai team. The ink mist in press rooms, Nicholson said, "contains carbon black and mineral oils. We are concerned with possible trace amounts of carcinogens in the carbon black and mineral oils." The team had completed its investigations of letterpress, lithography, and all but one of three selected rotogravure plants. Only the newspaper press rooms remained to be investigated.

Bronson talked to, or attempted to talk to, corporate officials at the *Times* and the *News*, and to officials at the A.N.P.A. Research Institute. The *News* had no comment; officials at the institute could not be reached for comment; thus, only John Mortimer, senior vice-president of The New York Times Company, was quoted. Mortimer said that the company was willing to have air samples taken in its plants "if such a study is done on a national basis," that the company would "cooperate with whatever the A.N.P.A. Research Institute agrees to . . .," and that the institute was "the proper vehicle for all newspaper inspections. It shouldn't be just us'ns." (This position, I later learned, is also that of the *Post* and *News* companies.) It wasn't just them'ns. Not only was the NIOSH study industry-wide; it involved at least four newspapers in two cities. (Project director Nicholson says that his team also hopes to gain access to newspaper press rooms in Washington, D.C., and that an investigation of press rooms in Chicago, New York, and Washington is necessary to provide a good cross section of conditions in metropolitan press rooms.)

Editor & Publisher, the trade weekly, also covered the story. And whereas Bronson of the *Journal* had failed to get any comment from the A.N.P.A., *E & P* associate editor Earl Wilken apparently got through — and absorbed what Rinehart of the research institute had to say. Wilken's article, misleadingly headlined FEDERAL SAFETY AGENCY STARTS PRESSROOM PROBE (NIOSH was not starting its probe but attempting to complete it), which appeared in the December 11 issue of *E & P*, covered all of the ground Rinehart considers important and provided much of the documentation Rinehart considers crucial to his contention that a research team supervised by Selikoff would be biased.

The controversy is an important one. Were five major oil companies to have defied the government in this way, the newspapers would not, presumably, have failed to report the story. Their silence on the subject of their industrial behavior cannot but leave the impression that their news judgment is self-protective. Moreover, that behavior within at least one newspaper-publishing enterprise contradicted the ethical stance regarding occupational health and safety set forth on the editorial page of its principal paper. An eloquent editorial entitled "Danger at Work," which appeared in the *Times* on March 15, 1975, concluded with these words:

Unquestionably, strict standards would impose a burden on business, but no responsible businessman wants to market a product or engage in an industrial practice that endangers the health of his workers or consumers. The failure to investigate and to test toxicity has already had grievous consequences. Each year of further delay multiplies needless risks. The costs are hidden but the victims are legion.

Two years later those words had a hollow ring.

The Times Company's continued defiance of the federal agency's request to allow a research team to investigate conditions in its press rooms was based, in part, on information it had received from Rinehart of the A.N.P.A. This, at least, is the impression I gained from speaking with Walter Mattson, executive vice-president of The New York Times Company, in mid-March. When I asked why the Times had refused to let the Mount Sinai team in, Mattson replied, "We are looking for a good, solid, objective study." And when I inquired who had suggested that a Mount Sinai study would not be good and solid and objective, he replied: "We rely on people who live in that field. You'd have to talk to Bill Rinehart about that." At the News, Joseph Barletta, director of employee relations, said more directly that he, too, had come to his conclusions about the Mount Sinai team's presumed lack of objectivity on the basis of information provided by Rinehart. (At the Post, business manager Eugene Park said that he had heard only "scuttlebutt" reports to this effect, adding that his "possibly unfair gut reaction" was that the Mount Sinai team might be biased.) Barletta added that he expected a break in the months-long newspaper-NIOSH impasse. Officials of the News and of the Times, he said, planned to meet with NIOSH officials in mid-April, at which time, he said, he was "confident that we will be able to iron out any problems so that we can get this study going again."

In the meantime, however, there was word — which newspaper officials declined either to confirm or deny — that the Times and the News, accepting the A.N.P.A.'s indictment of Selikoff as a biased researcher, were planning to pool funds to pay for a second, "independent" research group to make its own evaluation of the samplings taken by the Mount Sinai team and of other data used in drawing up its report. If they did so, these newspaper companies would, of course, be implicitly declaring that Selikoff was not to be trusted. The companies had put themselves in a curious position, to say the least. And what made it all the more curious was that, with impressive investigative resources at their service, corporate officials were accepting a serious indictment of a respected medical researcher without so much as looking into the validity of the charges.

Was Rinehart's indictment of Selikoff well-founded?

In mid-March, having read the two press accounts available, I called Rinehart at his office in Easton, Pennsylvania, and asked him to send me whatever material he had regarding Selikoff's alleged bias. Rinehart made the following points in our conversation: Selikoff's close ties with unions, and in particular with the International Printing and Graphic Communications Union, would make any study supervised by him "a loaded deal." Selikoff, he added, had worked

on, and was even now working on, other studies with the union and "over the years he [Selikoff] has always sounded like a union leader." Rinehart called my attention to a speech Selikoff had given to the I.P.&G.C.U.'s fortieth convention, held in Bar Harbour, Florida, in September 1972. "Rohan [Alexander Rohan, then president of the union] introduced him as a 'great ally, a good friend,' " said Rinehart. As for Selikoff's speech, Rinehart described it as a "call for battle: We'll get the damned A.N.P.A. and the newspapers yet." Rinehart also told me that, in his speech, Selikoff said there was asbestos — a known carcinogen — in newsprint and that this was demonstrably false.

Rinehart sent me a transcript of Selikoff's speech; a copy of a letter Rinehart had written on December 10 to Dr. John F. Finklea, the director of NIOSH; and a copy of an A.N.P.A. *Newsprint & Traffic Bulletin*, dated December 12, 1972, announcing that "a complete survey by A.N.P.A. revealed that no North American mill uses asbestos in the manufacture of newsprint. The only use of asbestos in the manufacture of newsprint was in experiments several years ago when a few manufacturers made test runs with asbestos fibers as part of their continuing research to improve newsprint qualities."

On receiving Rinehart's packet, I read Selikoff's speech to see if he had said that asbestos was used in the manufacture of newsprint. I found that he had not. What he had said was: "The companies have been putting carloads of asbestos into paper manufacturing, and workers now in the press rooms are exposed to asbestos dust, if they are working with those papers. By the way, they say it improves the quality of the paper. It holds the titanium better. There is less penetration. It holds the inks better."

Since it seemed unlikely to me that Rinehart had misread these words, I thought that he must have misconstrued a reference to "paper" as a reference to newsprint — a supportable proposition if the majority of the union's membership were newspaper pressmen. Calling the union's headquarters, I learned that only about one-fifth of the I.P. & G.C.U.'s total membership of 122,000 worked in newspaper press rooms. I concluded that Rinehart had failed to make the distinction between paper and newsprint.

A question remained: Had Selikoff perhaps overstated matters when he spoke of "carloads of asbestos" in paper? I asked Nicholson at Mount Sinai to send me whatever information he and Selikoff had gathered on this subject. Among the papers that arrived were reprints of two articles written by R. G. Woolery, director of research and development for the mining and metals division of the Union Carbide Corporation. The first, published in the August 1965 issue of *TAPPI*, the publication of the Technical Association of the Pulp and Paper Industry, was entitled "Effects of Chrysotile Asbestos Additions to Cellulosic Paper." (1965, incidentally, was also the year in which Selikoff and Drs. E. Cuyler Hammond and Jacob Churg identified asbestos as the cause of mesothelioma, an invariably fatal form of cancer, in an article that appeared in *The New England Journal of*

Medicine.) The second article had appeared in the September 1967 issue of *Pulp & Paper International*, another trade publication, and was entitled "How High Purity Asbestos Is Used for Pitch Control in Paper-making." Near the end of this article, Woolery wrote: "High Purity Asbestos is presently being used in a wide variety of paper grades. These include glassine, printing paper [such as that used in magazines], linerboard, tissue . . . and others. Asbestos levels vary from a low of 5 lb/ton to curb slight pitch [resin] problems to 30 lb/ton to control pitch 'flurries.'"

Other papers that Nicholson had sent showed that Union Carbide was marketing asbestos for use in the manufacture of paper in 1971, and one product-information bulletin in particular caught my eye. It dealt with "high-purity asbestos, a new white fibrous filler and retention aid for printing papers." There I read: "Several paper companies have evaluated our material — High Purity Asbestos — for pitch control as compared to the effectiveness of talc, which they normally use. . . . RESULTS OF THIS WORK: Carload quantities of asbestos are now being used for pitch control."

These were the very words used by Selikoff in his 1972 speech. Unless Union Carbide had been indulging in hyperbole, his remark would seem to have been well founded.

Curious to know more precisely when Union Carbide had begun marketing its "high purity asbestos" for use in paper and when it had ceased doing so, I called John Myers, marketing manager/asbestos of the corporation's metals division, in Niagara Falls. Myers told me that he had looked into this matter for Dr. Selikoff in, he thought, early 1972; that the material I had received from Nicholson had probably been gathered at that time; and that his company had taken every precaution to safeguard against the asbestos marketed for use in paper from getting into the air by, among other things, producing it in pellet form. Myers went on to say that he believed the use of asbestos in paper began "in any market quantity in 1969 and began depleting in 1974." Nowadays, Myers said, there is practically no asbestos in paper.

Two parts of Rinehart's indictment of Selikoff remained to be examined — his alleged close links with unions, and whether Rinehart's description of Selikoff's 1972 speech as one in which he "indicated his desire to do battle with newspapers and with A.N.P.A." was apt. (The quoted words are from Rinehart's December 10 letter to NIOSH director Finklea, in which Rinehart also referred to a previous A.N.P.A. suggestion "that NIOSH discontinue its newspaper study contract with the Mount Sinai [team] and contract with [a] medical school whose findings would be respected by both union and management." The reason Rinehart gave was: ". . . We strongly object when the federal government contracts with any group which has in the past been guilty of serious, false, and inflammatory findings — such as those concerning 'asbestos.'")

Selikoff's speech began and ended with references to war. It began: "As I walked into this hall . . . I noticed a very sensible quotation of Senator McGovern's that he had no secret plan for peace; rather, he had a public plan which simply involved the fact that he would stop the senseless bombing [of North Vietnamese cities] on Inaugural Day."

Selikoff went on to express the hope that a similarly sensible approach could be taken to end "another senseless war . . . in which the casualties are certainly much heavier, and I refer to death and disease in the work place."

In a reference to newspaper coverage of this war, Selikoff said: "Now, most of you know very little about these battles. If they are reported at all, they are on the back pages." He then cited statistics which could be read to suggest that this war deserved much wider coverage than it received in the press: "Since the beginning of the Second World War there have been recorded deaths, occupational deaths, in this country of over 500,000." These, he went on to say, were "only the obvious casualties, when somebody is crushed by a machine or has acute lead poisoning. . . . No one really knows the number of quiet deaths that occur one at a time, the people who die of bladder cancer, the people who die of emphysema. These are quiet deaths, and they go into the graves of the unknown soldiers . . . of labor."

As I read the speech, it was an appeal to the assembled union leaders to inform themselves about the nature of the toxic agents to which pressmen might be exposed and an attack on all federal agencies and other groups that might reasonably be expected to be doing something to safeguard the health of American workers but had been slow to act or had failed to do anything. In his sole reference to the A.N.P.A., Selikoff said:

. . . A few months ago, I sat in your Board room at the invitation of President Rohan and we met with the representatives of the American Newspaper Publishers Association, and we said the data are — and we listed what we so far knew, and we said, "We don't know how bad this is; we don't know whether it is terrible or only moderately bad. We don't even know which of the things are more serious," etcetera.

And instead of the usual answer that a doctor would expect, "Well, let us find out, because if something is wrong let us take care of it," I have heard nothing since, unless you have, Mr. Rohan — not a word.

You would think that they would want to know whether in the press rooms there is danger, there is disease, there is potential death.

I could understand why the A.N.P.A. felt embattled, but it seemed clear to me that the foe against whom Selikoff was doing battle was not the A.N.P.A. in particular, but, more generally, ignorance, indifference, and lethargy. Indeed, the speech struck me as no more nor any less impassioned than the previously mentioned *Times* editorial, "Danger at Work." This raised the question: Should a medical researcher not speak out on an issue on which he is well informed and about which he is deeply concerned while newspaper publishers might do so on any subject under the sun? It raised another question, as well: Would the A.N.P.A. prefer a medical researcher who kept silent?

The final charge in Rinehart's indictment concerned Selikoff's close union ties. Recalling that Paul Brodeur of *The New Yorker* had written about Selikoff's work in his pioneering article on asbestos — "The Magic Mineral," published in 1968 — I reread that article. The following passage seemed to the point:

General Motors Update

Thanks in part to
our great family of engines,
GM's total fuel-economy
improvement
since 1974 is 48%.

The best of any American car maker.

From responsive little fours to our 425-cubic-inch V-8s, General Motors offers a greater variety of automobile engines than anyone in the world... 8 General Motors plants producing 16 different basic engines.

Final EPA figures on '77 cars and trucks using these engines indicate that on a sales-weighted basis, GM models show an estimated average fuel-economy improvement of 6½ percent over just one year ago. This brings GM's total improvement since 1974 to a dramatic 48 percent... the best mileage improvement of all domestic car manufacturers.

Of course, the mileage you get on your '77 car or truck may vary, but our point is: GM is working

hard to bring you more fuel-efficient cars and trucks.

WHY SO MANY ENGINES?

First, because it gives us the flexibility to meet customer wants. For example, our highly popular V-6, which is produced by our Buick Division, is offered on 13 separate Pontiac, Oldsmobile and Buick models. Second, versatility. Within our family of engines we have other families. There are four 350-cubic-inch V-8s, for instance, which are used in various GM models and series so that we can give you this size of engine when you want it. These engines are produced at plants operated by our Chevrolet, Buick, Oldsmobile and Pontiac divisions,

and by General Motors in Canada. We hope you'll discuss with your dealer which one of these engines is available in the car you select.

SPRING IS ON THE WAY.

What better time to test drive the GM car of your choice equipped with one of the many great engines available.

We think you'll find that, even with all the emission control equipment that helps make our 1977 cars and trucks the cleanest in our history, they still offer the kind of performance that makes you want to get out of doors and drive.

CHEVROLET • PONTIAC
OLDSMOBILE • BUICK
CADILLAC • GMC



**We want you to
drive what you like
and like what you drive.**

In 1954, all seventeen [asbestos worker patients who had come to Selikoff] from the Paterson [New Jersey] factory were able-bodied and working. By 1961, however, six of them were dead, and today [1968] only six of them are alive. Of the eleven who died, four were victims of lung cancer, three of other cancers, one of mesothelioma, and two of asbestosis. . . . After the company that owned the factory said it was unable to make its employment records available, [Selikoff] wrote to several other large asbestos manufacturers in the United States, inquiring about the health experiences in their plants, and was unable to obtain information from any of them. . . .

It was, then, only after a concerted attempt to get the necessary information from industry, and being rebuffed, that in 1962 Selikoff turned to two locals of the International Association of Heat and Frost Insulators and Asbestos Workers, from whose employment records he could obtain detailed work histories and from whose health and welfare records he could obtain the dates and places of death of members, as well as other information essential to his research into the relationship between asbestos and lung cancer and other diseases. (This study, incidentally, was not funded by a union but by the New York City Department of Health. All of Selikoff's research involving union records is funded by health organizations such as New York's health department, the National Institutes of Health, and the American Cancer Society. Selikoff, who says that he has "never taken a penny" from a union to conduct his research into occupationally and environmentally caused diseases, adds that he will accept money from any source to find cures for such diseases.)

Seen in this context, Selikoff's relationship with unions did not seem nefarious.

An article that appeared in the October 27, 1974 *New York Times Magazine* threw additional light on Dr. Selikoff's working relationship with some unions. Written by Alan Anderson, Jr., ("a freelance writer who specializes in scientific and medical subjects"), it was entitled "The Hidden Plague" and subtitled "Even the families of some workers are endangered by occupational diseases." Anderson described Selikoff's Environmental Sciences Laboratory as "unique in the United States, and probably in the world . . ." and he went on to tell how Selikoff and his colleagues went about their work:

A typical Selikoff investigation begins with a suggestion of danger — often from a labor leader concerned with working conditions, or from animal studies with a certain chemical. The next step is to find a high-risk group that has been exposed to the threat — for example, members of a local union who worked with vinyl chloride between 25 and 20 years ago. If the investigators are able to obtain lists of names, they then attempt a "sample trace," trying to find 10 percent of the working group. If this proves reasonably easy, they follow with "a little P.R.," as a Selikoff investigator puts it, explaining to workers why they must conduct the tedious interrogations, physical exams, and pulmonary tests. Then a physician and a field epidemiologist are assigned to the case, and the study branches into two parts: (1) a mortality survey to determine the cause of death of those who have died, and (2) a clinical study to examine all those still alive. The process commonly takes several years, and follow-up studies continue indefinitely.

Again, seen in context, Selikoff's working relationship

with some unions — a part of his ongoing investigation of occupational diseases — seemed indispensable, until, that is, industry is as forthcoming as some unions have been.

Yet the charge that Selikoff's reliance on unions as the source of essential data must, necessarily, make him biased in favor of unions seemed, in any case, beside the point; the essential point, surely, is whether a researcher's methodology is sound and his findings are valid. And Selikoff's studies on asbestos and other occupational health hazards have held up very well, indeed. One recent evidence of this was his having received last year the American Cancer Society's Annual National Award. Another was provided in a *Times* article which appeared on January 8 of this year. Written by Jane E. Brody, it bore the headline ASBESTOS COMPANY AND UNION FUND CANCER RESEARCH, and it began: "In an unusual display of cooperation over an ordinarily divisive issue, labor and industry jointly awarded half a million dollars yesterday to Mount Sinai Medical Center here to finance an attempt to find a cure to an occupationally caused cancer [mesothelioma]." The company and the union which had joined forces in this effort were the Johns-Manville Corporation — the world's largest asbestos producing and processing company, and one of the firms that had refused to assist Selikoff in his 1960s search for health records — and the International Asbestos Workers Union. The article went on to say that "the research effort at Mount Sinai will be codirected by Dr. Selikoff and Dr. James F. Holland, a leading cancer therapist."

In an article that appeared in *The New York Times Magazine* of January 21, 1973, Robert Sherrill, Washington correspondent of *The Nation*, wrote of the effect on various groups of "an explosion of literature on the occupational hazards of asbestos" following the publication in 1965 of the article coauthored by Selikoff which linked asbestos with mesothelioma. "The asbestos industry and the U.S. Department of Labor," wrote Sherrill, "have not seemed exactly overjoyed to receive all this data; indeed, their basic response has been a combination of defensiveness and hostility and furtiveness."

It is a curious commentary on the A.N.P.A., and on those newspaper executives who accepted the A.N.P.A.'s version of things, that for many months Sherrill's words aptly described their attitude, while Johns-Manville, which ten years ago found Selikoff's findings hard to live with, has now turned to him for expert help.

As for The New York Times Company in particular, its executive officers might well learn a lesson from the *Times*'s medical reporters who, over the years, have filed scores of stories on Dr. Selikoff's investigations into such occupational hazards as asbestos, vinyl chloride, and polybrominated biphenyl (PBB) without so much as intimating that his findings might be biased in any way.

Perhaps, a decade from now, the A.N.P.A. will realize that there is a distinction between being a foe of disease and being a foe of industry. Perhaps, too, newspapers will begin more extensively to cover the largely neglected story of occupational health and safety, including stories that directly involve newspapers themselves. ■

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Crusading for jail over bail

Washington's
newspapers
oppose a bail law
by linking it to crime

by GAILLARD T. HUNT

Last year the House of Representatives passed a bill to tighten the bail law in the District of Columbia. It is unlikely that the event was marked by celebrations in the offices of *The Washington Post* and *The Washington Star*, but it should have been. Few bills come before Congress with their way so well greased by Washington's two daily papers as this one did.

Many feel that all has been done that can be done by jails and prisons (the District of Columbia has the highest ratio of prisoners to population of any jurisdiction in the United States, which in turn leads the world in that grim statistic), and that any further reduction of crime will have to come from better police work, or by reducing the poverty that breeds crime. But Washington's two major papers think differently: They have joined in what can only be called a crusade for more jailing.

The crusade dominated the Metro sections of both papers for most of 1976. It covered a broad front: judges, parole boards, and probation officers were castigated. But most of all the District's Bail Reform Act was criticized. The papers began to find a bail angle in every crime story, sometimes at considerable sacrifice of the facts.

Take, for instance, the case of George Logan. Shortly after his arrest early in March 1976, the *Star* ran an editorial titled BAIL-BOND ROULETTE: "March 31 is a date to watch for the Washington metropolitan area's Nervous Nellies about street crime. On that day, Mr. George B. Logan, alias George B. Jackson, is scheduled to appear in D.C.

Gaillard T. Hunt is a Washington lawyer.

Superior Court for an extradition hearing." The editorial explained that Logan, while talking to undercover agents, had bragged of having committed a murder in suburban Prince Georges County. Apparently he had cited the murder as prior professional experience when applying to the agents for a job as a hit man. The county, said the *Star*, was to ask for Logan's extradition on March 31 "— if Mr. Logan appears. The 'if' must be added, since Washingtonians read, last weekend, the disconcerting news that after Mr. Logan's arrest . . . he was freed from custody on \$1,000 bond."

The editorial's dudgeon then proceeded in higher and higher cycles ("a certain whacky logic," "disastrous in result," "forced to play bail-bond roulette with the public safety," "frightening to law-abiding citizens") until it collided with no less an angel of law and order than the Little Judge himself: "No one should profess to be shocked that Gov. George Wallace can recruit devoted followers with the charge that 'if you're mugged on the streets, the mugger will be out of jail before you're out of the hospital.' In too many instances for comfort, in this city and others, that is literally true."

By March 31 the *Star* had forgotten about its being "a date to watch." When Logan appeared in court as scheduled, there was no mention of it in the paper. In fact, the extradition was postponed to April 7 and again to April 9, with Logan each time continued on his bail. The *Star* reported none of this.

It did report in November that Logan was acquitted of the murder, but with no mention of the bail angle that had once seemed so important.

The Washington Post is no more likely than the *Star* to let mere facts distract it from the hot trail of a bail story. On April 26, 1976, it ran a story headlined, OUTCRY GROWS OVER PRETRIAL RELEASE OF SUSPECTS, which began with the horror story of a man arrested

for rape and burglary while on personal bond (his mere promise to return for trial) from two earlier burglaries. "Within 12 hours," the *Post* said, "he was back out on the street on personal bond." This may have been true, but the main point of this article depended on a fantasy that has dominated the whole debate about the District's bail law: Under the Bail Reform Act, said the *Post*, "the seriousness of the crime could not be considered" unless formal pretrial detention were used, and "the only legal issue at the bond hearing was whether the defendant would flee from prosecution."

Apparently, reading the law itself is beneath the journalistic dignity of all the publisher's men, or they would have seen that the law says that personal release is not allowed if the judge finds "in the exercise of his discretion, that such a release will not reasonably assure the appearance of the person as required or the safety of any other person or the community" (emphasis added). Had the *Post* writer ever sat in arraignment court he would have heard frequent arguments about which defendants are dangerous, and would have seen many held on that ground. This was illustrated in the case of Abdul Khaalis, the Hanafi Moslem terrorist who was freed on personal bond but later locked up when a court-ordered wiretap overheard him threatening mass murder.

One crude fact is that 91 percent of people released on personal bond do show up for trial. Another is that about 70 percent of the people who appear for the first time before a Superior Court judge are never again arrested for anything.

The attempt to tighten the Bail Reform Act was never taken up in the Senate, so bicameralism saved the day. What will happen this session is anybody's guess. A House subcommittee is holding hearings starting May 16.

As Chief Judge Harold Greene of D.C. Superior Court said at the House hearings, it is "a cruel and unfair deception of the people of the District of Columbia to lead them to believe that tinkering with the Bail Reform Act will produce miraculous results in reducing crime." This deception may straighten itself out in the long run, but no thanks to the Washington newspapers. ■

How cross-ownership

Joint ownership of a newspaper and a TV station in the same city often means less diversity in coverage

by WILLIAM T. GORMLEY, JR.

More than 60 million Americans live in metropolitan areas where at least one newspaper and one television station have the same owner. Currently there are sixty-six such newspaper-television station cross-ownerships, and more than 200 cross-ownerships of newspapers and radio stations.

On March 1 the U.S. Court of Appeals in Washington took an important first step toward dissolving most cross-ownerships. The court struck down a two-year-old F.C.C. rule that allowed almost all the companies that already owned a newspaper and a broadcasting outlet in the same city to keep both (such a provision is known as a "grandfather clause"), while prohibiting the future formation or transfer of cross-ownerships. The court agreed with the F.C.C. that no new cross-ownerships should be allowed, but went on to insist that existing ones ought to be dissolved "except in those cases where the evidence clearly discloses that a cross-ownership is in the public interest."

Because newspapers and television stations are particularly important sources of news and opinion, the court

William T. Gormley, Jr.'s 1975 investigation of the effects of cross-ownership, funded by the John and Mary R. Markle Foundation, was carried out in three stages. First, he sent questionnaires to 349 managing editors and news directors of both cross-ownership and separately owned newspapers and TV stations; 214 responded. Then he visited ten cross-ownership cities and interviewed forty-four news executives and reporters at newspapers and television stations. Finally, he analyzed 9,335 news stories to compare the coverage overlap of cross-ownership and separately owned pairs of newspapers and TV stations.

Copies of the study, The Effects of Newspaper-Television Cross-Ownership on News Homogeneity, are available for \$4 from:

Institute for Research in Social Science
University of North Carolina
Chapel Hill, N.C. 27514.

This fall Gormley will be an assistant professor of political science at the State University of New York, Stony Brook.

characterized newspaper-television cross-ownerships as "the heart of this case." With television stations as profitable as they are, few newspaper executives whose companies own TV stations would disagree.

Since 1968 the Federal Communications Commission has struggled with the question of whether cross-ownerships lead to less diversity in the news available to the public, or whether, as many owners argue, they benefit the public by tending to promote stability and financial soundness.

In 1975, shortly after the F.C.C. announced its rule, I carried out an investigation of the effects of cross-ownership on the news. I found that common ownership of a newspaper and a television station in the same city does tend to restrict the variety of news available to the public — and, further, that the homogenizing effects of cross-ownership are most noticeable in smaller cities. These findings tend to support the Court of Appeals decision.

The Court of Appeals reviewed the F.C.C.'s cross-ownership rule in response to a petition submitted by the National Citizens Committee for Broadcasting, a nonprofit group headed by former F.C.C. commissioner Nicholas Johnson. The N.C.C.B., through lawyers at the Citizens Communications Center, objected to the "grandfathering" of local newspaper-broadcasting combinations on the ground that it ran counter to the F.C.C.'s longstanding presumption that diversity of ownership serves the public interest — a presumption that had previously led the F.C.C. to prohibit the joint ownership of more than one broadcasting station of the same kind (television, AM radio, or FM radio) in the same market, or more than seven stations broadcasting in the same medium nationwide. In supporting the N.C.C.B.'s position, the court shifted the burden of proof from those who oppose cross-ownership to those who support it. The court conceded that "the record no more establishes that cross-ownership serves the public interest than injures it." However, the court argued that in the face of ambiguous evidence the F.C.C. should have relied primarily on its precedents in favor of diversity of ownership. Instead, the F.C.C. gave diversity less weight than it gave to other values allegedly threatened by divestiture — values such as local ownership and continuity of operation. The court noted that "the record does not disclose the extent to which divestiture would actually threaten these values." Finally, the court concluded that the F.C.C. had no rational basis for confining divestiture to the seven newspaper-television combinations and nine newspaper-radio combinations that the commission had defined as "monopoly" situations.

The court's decision, written by Chief Judge David Bazelon, focused attention on an F.C.C. rule that had given

affects news-gathering

the newspaper and broadcasting industries what they most wanted — protection for the overwhelming majority of cross-ownerships. In a statement that accompanied its 1975 rule, the F.C.C. characterized divestiture as too severe a remedy for the sake of “a mere hoped-for gain in diversity,” and expressed concern that divestiture might cause “disruption for the industry and hardship for individual owners.” The F.C.C. also seemed satisfied by arguments that jointly owned newspapers and broadcasting stations maintained genuinely independent news staffs. In the F.C.C.’s words: “Various combination owners have stressed that their two media interests — print and broadcast — are operated separately. . . . Were it otherwise and the two operated jointly, it might have been necessary for the Commission to act to require divestiture in many more situations.”

Lobbying for a grandfather clause by the broadcasting industry was intense. However, the evidence submitted to the F.C.C. concerning the effects of cross-ownership was as weak as the political pressure applied by broadcasters was strong. If the F.C.C. gave less weight to diversity than to the different values stressed by broadcasters, it was perhaps because diversity in the flow of news and opinion was not clearly at stake. Threats to diversity were defined in terms of “abuses” — for example, the deliberate suppression of a news story by the owner of a newspaper-broadcasting combination. Whether cross-ownership involved such abuses was extremely difficult to prove or disprove, and the F.C.C. never really discovered that cross-ownership erodes diversity in more subtle ways.

The fact of the matter is that cross-ownership contributes to news homogeneity by aggravating an already disturbing tendency for reporters to cover stories because other reporters are covering them — the familiar problem of “pack journalism.” This conclusion emerges from research I conducted in the spring of 1975. I visited newspaper and television newsrooms in ten cross-ownership cities. What I found was that jointly owned newspaper and television news staffs were engaged in cooperative practices that might not be described as “abuses” but which nevertheless belied assurances by owners of newspaper-television combinations that their news staffs functioned separately and independently.

□ In Quincy, Illinois, where the *Herald-Whig* and WGEM-TV are jointly owned, the newspaper and television news staffs were exchanging news “tips” over the telephone. Before dawn, WGEM reporter Bob Turek would call sheriff’s offices and radio stations in outlying areas to inquire about accidents and crimes. Later in the morning, the *Herald-Whig*’s state editor, Harold Gilbert, would tele-

phone WGEM to obtain information gathered by Turek — an arrangement one reporter described as “profit-sharing” since it reduced the long-distance phone bills of the parent company. During the afternoon, WGEM might ask the *Herald-Whig* to reciprocate. As one WGEM reporter put it, “I’ll call them up and ask what’s going on.” In the evening, WGEM and the *Herald-Whig*’s state desk would exchange additional information. A *Herald-Whig* reporter summed up the situation: “It is common for

**‘Cross-ownership contributes
to news homogeneity by aggravating
an already disturbing tendency
for reporters
to cover stories because other reporters
are covering them’**

WGEM’s people and our people to help each other.”

□ In Portland, Maine, where the *Express*, the *Press Herald*, and WGAN-TV are jointly owned by the Guy Gannett chain, the two newspapers were furnishing carbon copies of stories to WGAN before the stories were published. According to the city editors of the two newspapers, carbons of “almost all” news stories were provided to WGAN. The carbons were placed in bins on the desks of the city editors of the two newspapers, which shared a newsroom. Once or twice a day, someone from WGAN would pick up the carbons. This required little effort because the two newspapers and WGAN were situated in the same building.

□ In Rock Island, Illinois, the jointly (and locally) owned *Argus* and WHBF-TV were also exchanging carbons. Twice during the morning — at around nine and eleven — a WHBF custodian would pick up carbons of routine news stories at the *Argus* (carbons of “exclusives” and “features” were not provided). Shortly after 12:30 P.M., the copy deadline for the *Argus*’s first edition, an *Argus* receptionist would collect carbons of routine news stories from a bin and deliver them to WHBF. In return, WHBF would furnish carbons of some radio and television stories to the *Argus* early the next morning.

These institutionalized exchanges of information between jointly owned news staffs were less common than more in-



"Friends ask me if we cap natural gas wells instead of sending the gas someplace useful."

"I get questions like that every day," says Gulf Offshore Operations Manager Roy Tillerson.

"People say, 'Is it true there are capped natural gas wells when people need gas so badly?'"

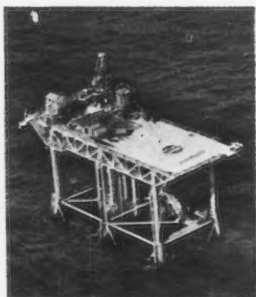
"I have to say yes, because there are. But it's not that simple."

One well isn't a field

"When a company thinks there's natural gas down there, it drills an exploratory well. But one gas well doesn't make a gas field. If you find gas with the first well, you have to cap it and drill maybe a dozen more, to see how much gas there is."

"People say, 'If you know there's gas, why not just build a pipeline to where it can be used?'"

"Gulf has hundreds of gas wells in the Gulf of Mexico, working at full capacity."



"And I say, a gas field could cover anywhere from one square mile to a thousand. Until you know how big the field is, you don't know how big a pipeline to build. In many cases, federal law doesn't allow pipeline construction until it can be proved there's enough gas in the field to justify it."

"Even if you were allowed to build unlimited pipelines, the cost of the pipelines would send the price of gas out of sight. For

instance, Gulf just finished a 60-mile gathering pipeline that cost \$25 million. It was built to serve as many as 36 wells. You can see that a separate pipeline for each of those wells would be astronomically expensive."

Working full time

"So we cap wells until we find enough natural gas to make it practical to pipe it out."

"Gulf already has thousands of wells producing all the natural gas they can. The challenge we're facing now is to find more natural gas, and ship it to consumers the cheapest way."



**Gulf people:
meeting the challenge.**

"This is a capped well. But one well is a long way from bringing in enough gas to make a pipeline practical."

formal contacts between individual members of the news staffs. In Dallas, Texas, where the *Morning News* owns WFAA-TV, WFAA's news director, Marty Haag, occasionally chatted over coffee with friends at the *Morning News*, where Haag used to work. In Norfolk, Virginia, where *The Virginian-Pilot*, the *Ledger-Star*, and WTAR-TV are jointly owned, WTAR's news director, Jim Mays, occasionally ate lunch with people from *The Virginian-Pilot*, where Mays used to work. In Fresno, California, where the *Bee* owns KMJ-TV, KMJ reporter Mike Hartman was occasionally drinking with friends from the *Bee*, where Hartman used to work.

Members of separately owned news staffs were also, to be sure, exchanging information, gossiping, and cooperating from time to time. Indeed, in Dayton, Ohio, the *Daily News* was cooperating more with the television station it didn't own (WLWD) than with the television station it did own (WHIO). In early 1975, the *Daily News* was sending a consumer reporter and an entertainment writer to WLWD to do filmed reports twice a week, free of charge. This work-

ing relationship between the separately owned news organizations culminated in the production of "The Squeeze," a joint Daily News-WLWD project which examined the impact of inflation in Dayton.

Although cooperation between newspaper and television news staffs is not confined to jointly owned media, certain arrangements are more likely when a newspaper and a television station are jointly owned than when they are not. In my survey of 214 newspaper managing editors and television news directors in seventy-seven cities I found that cross-ownership has at least three measurable effects.

First, cross-ownership increases the likelihood that a newspaper and a television station will share carbons. Overall, 9 percent of newspaper-owned television stations receive carbons on an exclusive basis, as opposed to 1 percent of comparable television stations not owned by a newspaper. Sometimes the arrangement is reciprocal, but the flow of carbons is normally from the newspaper to the television station. Of course, the television station may still gather its own information, but the temptation to rely on

Coverage of cross-ownership: 1975 and 1977

How do — or don't — newspapers report to their readers on official decisions affecting their own cross-ownership ties? That question was asked by William Gormley after an F.C.C. cross-ownership decision in January 1975; his survey of next-day coverage indicated that of the eighteen major dailies examined, only ten covered the story at all, and only three noted their own relationship with local broadcasting. A similar survey of next-day coverage was made by the *Review* after the judicial ruling on March 1; of eleven dailies sampled, almost two-thirds indicated — one way or another — that they themselves were a part of the story:

- The *St. Louis Post-Dispatch* ran the story on page 2, calling attention in the third paragraph to its company's ownership of local television and radio outlets — a decided advance over its handling of the 1975 F.C.C. decision, in which it had not mentioned its interest in the ruling.
- The *New York Times* gave the story page-one play, though readers got no inkling until the seventeenth paragraph on the fourteenth page of the fourth (financial) section that the *Times* itself had a local radio property. The *Times*'s estimate of the story's news value was considerably higher than in 1975, when it ran an A.P. story about the earlier F.C.C. ruling on page 70.
- The *Washington Post* also deemed the story worthy of page one, though it too saved for the page-5 jump its explanation of how the *Post* itself might be affected — a point that had gone unnoted in its coverage of the 1975 ruling.
- The *Chicago Tribune*, which had given scant coverage to the 1975 decision, this time used a sixteen-paragraph A.P. story in its financial section. This story included a

paragraph that mentioned the *Tribune* as one of three prominent cross-ownership examples that would be affected.

- In Baltimore, the *Sun* ran the story on page one, but remained silent about its ties to local television.
- The *San Francisco Chronicle* used a story (augmented with a brief reference to its local TV ties) from the New York Times Service, edited to remove all rationale in support of the ruling.
- The *Milwaukee Sentinel*, following its own uncommon precedent in reporting the 1975 decision, presented on page 2 a full A.P. account and inserted four parenthetical paragraphs outlining the broadcasting involvements of The Journal Company, its parent.
- Coverage by the *Louisville Courier Journal* was noteworthy for its extensive report on the effects on local newspaper-broadcasting operations, including some frank speculations from the newspaper's publisher.
- The *Providence Evening Bulletin* printed a U.P.I. story and inserted a brief reference to its own connections.
- A prize for modesty must be shared by *The Atlanta Constitution* and the *New York Daily News*. Not only did each paper ignore its own connections, but each relegated the story to back pages. The *News* also was the hands-down winner for brevity (3½ inches).

Clearly, some papers were more candid with their readers than others, while a few others self-consciously withheld crucial facts necessary for informed public debate. Nevertheless, in marked contrast to the coverage on the earlier ruling, when nearly 50 percent of the dailies affected avoided the story altogether, this time the basic story was covered by every paper examined. Trend-seekers might also note that in general papers that in 1975 had ignored the story reported it in 1977; papers that in 1975 had reported the story without mention of their broadcasting ties acknowledged them in 1977.

G. C.

newspaper carbons can be strong.

Second, cross-ownership increases the likelihood that a television station will hire a reporter or editor who has worked for the newspaper that owns the television station. Overall, 28 percent of newspaper-owned television stations have hired a reporter or editor who worked for the newspaper, in contrast with 12 percent of comparable television stations not owned by a newspaper. According to persons who have switched from print journalism to broadcast journalism without changing companies, cross-ownership made the transition more appealing. Most switchers were able to retain their pension and medical benefits, as well as vacation benefits and seniority privileges in some cases. Those who leave a newspaper to work for its television station in the same city maintain friendships with newspaper people—friendships which encourage the sharing of information. In the words of a Dallas newspaper reporter, "It's hard not to tell a friend."

Third, cross-ownership increases the likelihood that a newspaper and a television station will be located within the same complex of buildings. Overall, 8 percent of newspaper-owned television stations are located within the same complex of buildings as a newspaper, in contrast to 1 percent of comparable television stations not owned by a newspaper. There is nothing diabolical about a corporate decision to house a newspaper and a television station within the same complex of buildings. However, such a decision does bring newspaper and television news staffs closer together by making it easier for them to meet. Furthermore, the sharing of the same roof, the same parking lot, or the same cafeteria reminds newspaper and television reporters that they are members of the same corporate family—which encourages cooperation.

The motives of newspaper and television reporters who cooperate may be no different from those of neighbors who borrow and lend lawn-mowers, can-openers, or sugar. Nevertheless, cooperation between newspaper and television news staffs does undermine diversity in the flow of news. My survey showed that, intentionally or not, newspapers and television stations characterized by carbon-sharing, cross-employment, or location within the same complex of buildings tend to cover more of the same stories as a result. If story overlap is defined as the number of same stories covered by a newspaper and a television station divided by the number of stories covered by the television station, cross-ownership increases story overlap by 16.7 percent nationwide. By covering more of the same stories, jointly owned media forgo the opportunity to cover other stories of potentially greater importance. These neglected stories may be condemned to "non-issue" status. When a newspaper and a television station cover the same stories because they have independently decided that the stories are worth covering, some people may benefit (especially those whose sole source of news is the newspaper or the television station). However, when a newspaper and a television station cover the same stories as a matter of convenience or as a reaction to the news judgment of a corporate relative, the public may be harmed. Cross-

ownership contributes to this latter kind of news homogeneity.

In addition to its effects on news content, cross-ownership constricts the flow of opinions in the mass media by reducing the willingness of television stations to editorialize. While 25 percent of television stations not owned by a newspaper never editorialize, 52 percent of newspaper-owned television stations never editorialize. The F.C.C. encourages, but does not require, broadcasters to editorialize. Consequently, the newspaper-owned television station faces a choice. If it editorializes in favor of the newspaper's views, it invites charges of collusion. If it editorializes in opposition to the newspaper's views, it negates the editorial efforts of a corporate relative. If it does not editorialize at all, it avoids the dilemma altogether, which is precisely what many newspaper-owned television

**'Of course, the television station
may still gather its own information,
but the temptation
to rely on newspaper carbons
can be strong'**

stations have done. Some will regard the failure of television stations to editorialize as less than alarming, in view of the extent to which television stations editorialize in favor of the United Fund, the Boy Scouts of America, and better weather. However, television editorials may become more substantive and more provocative in the near future if the F.C.C. eases fairness-doctrine requirements. Moreover, the fact remains that a television station's refusal to editorialize increases the public's dependence on a local newspaper for views on local issues.

The homogenizing effects of newspaper-television cross-ownership are strongest in cities with populations under 125,000. These are the very cities which can least afford such threats to diversity, since they typically are served by only one or two local television stations. In such cities cross-ownership has greater effects on the extent to which newspaper-owned television stations are characterized by carbon-sharing, cross-employment, location within the same complex of buildings as a newspaper, and a refusal to editorialize. Indeed, the carbon-sharing arrangement appears to be confined to cities served by only one or two local television stations.

The homogenizing effects, in cities of any size, need not be blatant, spectacular, or deliberate to warrant remedial action, because they ultimately pose a threat to the public's right to know. The link between diversity of media ownership and diversity in the flow of news and opinion cannot be lightly dismissed. As Judge Learned Hand wrote in *U.S. v. Associated Press*, "Right conclusions are more likely to be gathered out of a multitude of tongues." *continued*

How to open

Albert Bierstadt,
VIEW FROM THE WIND RIVER
MOUNTAINS, WYOMING (detail).
Museum of Fine Arts, Boston.



Albert Bierstadt,
INDIANS NEAR
FORT LARAMIE (detail).
Museum of Fine Arts,
Boston.



Henry Cheever Pratt,
VIEW IN THE CANYON
OF THE COPPERMINE (detail).
Vose Galleries of Boston.

William Hahn,
HARVEST TIME (detail).
The Fine Arts Museums
of San Francisco.



a new frontier.

Sallie Cover,
HOMESTEAD OF
ELLSWORTH L. BALL (detail).
Nebraska State Historical Society.



You're looking at pieces of dreams—and bits of reality—that are embedded deep in every American's consciousness. They're from an art exhibition titled "Frontier America: The Far West." Each tells us its own special story of our first great encounter with our own diversity—of red, white and black, of sodbuster and rancher, traders and trappers, mountaineers and homesteaders—and of the new ways we had to invent to live with each other and with the new land.

Much of what they started remains undone. Within our modern technologies, and our modern diversity, the need for better ways to solve our problems is endless and unchanging. The opening of new frontiers, social as well as physical, is still the urgent business of the country, and of each of us.

That's one reason we sponsored this exhibition. In our business as in yours, it helps to be reminded of what it takes to live on a new frontier. And individual imagination, individual initiative, individual innovativeness are high on the list. Sponsorship of art that reminds us of that is not patronage. It's a business and human necessity.

If your company would like to know more about corporate sponsorship of art, write Joseph F. Cullman 3rd, Chairman of the Board, Philip Morris Incorporated, 100 Park Avenue, New York, N.Y. 10017.

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"Frontier America: The Far West" appeared at Museum of Fine Arts, Boston; The Denver Art Museum; Fine Arts Gallery of San Diego; Milwaukee Art Center; and on European tour at Haags Gemeentemuseum, The Hague, The Netherlands; Kunsthau, Zurich, Switzerland; Villa Hügel, Essen, Germany; and Österreichisches Museum für angewandte Kunst in Vienna, Austria. The exhibition was sponsored through matching grants from the National Endowment for the Arts and Philip Morris Incorporated on behalf of Marlboro.

In grandfathering the overwhelming majority of newspaper-television combinations in the same city, the F.C.C. departed not only from its own precedents but from fundamental democratic presumptions in favor of diversity. To the extent that cross-ownership undermines diversity, it threatens truth and understanding.

Other values may be threatened by divestiture, but it is not clear that they deserve much, if any, weight. For exam-

**'Unless additional evidence
is forthcoming, extensive divestiture
may well be the best solution
to problems
caused by cross-ownership'**

ple, it is argued that divestiture would lead to reduced local ownership of television stations. If newspapers respond to a divestiture order by trading their television stations, a reduction in local ownership could follow, since approximately 75 percent of co-located newspaper-television combinations are locally owned. However, even if local ownership is generally desirable, local ownership and cross-ownership may be a particularly pernicious combination. Perhaps local owners do take a more active personal interest in the management of their properties than absentee owners, and perhaps they have stronger beliefs about their community's needs. But these factors increase the probability that if the owner's properties include both a newspaper and a television station, such personal priorities will be stamped on two major media as a result.

It is also argued that divestiture would lead to the collapse of newspapers subsidized by co-located broadcasting properties. However, there appears to be no reason why a newspaper cannot make a handsome profit from the sale of a broadcasting station — a profit which could be reinvested in a broadcasting station elsewhere or in another lucrative enterprise. Last year, a total of thirty-three television stations and 414 radio stations changed hands, which suggests that broadcasting stations are not difficult to sell. Incidentally, these transactions undercut the F.C.C.'s argument that divestiture should be avoided because it will reduce continuity of operation. If continuity is so important, why does the commission routinely approve so many transfers?

Unless additional evidence is forthcoming, extensive divestiture may well be the best solution to problems caused by cross-ownership. One possibility would be to require divestiture in all markets within five years, as the F.C.C. proposed in 1970. In cases where divestiture would lead to the collapse of a newspaper, a waiver could certainly be granted.

Another policy worth considering would be to require divestiture in markets where the newspaper controls over 30

percent of the circulation of local daily newspapers, and where the television station controls over 30 percent of the prime-time audience of local television stations. Such a rule, based on antitrust standards articulated in *U.S. v. Philadelphia National Bank*, would leave eleven existing newspaper-television combinations in the same city intact.

A third option would be to require divestiture in cities served by only one or two local television stations — those cities where cross-ownership interferes with diversity the most. This would leave thirty-seven newspaper-television combinations in the same city temporarily intact. In these cities, where the harmful effects of cross-ownership are less severe, cross-ownership could be eliminated more gradually by automatically assigning diversity of media ownership "substantial" weight in comparative license renewal proceedings. A newspaper-owned television station might still be able to retain its license when challenged by a competing applicant, but it would have to demonstrate that cross-ownership served the public interest in its city.

None of these policy solutions clearly differentiates between owners of newspaper-television combinations who are "guilty" of "abuses" and owners who are not. However, to draw such distinctions would require governmental inquiries into the news-gathering practices of newspaper-owned television stations — inquiries such as the F.C.C.'s investigation, begun seven years ago, into alleged improprieties involving the jointly owned *San Francisco Chronicle* and KRON-TV. As the Court of Appeals observed, "The intrusiveness involved in the very process of attempting to uncover abuses — such as news distortion — might severely strain First Amendment values."

The Court of Appeals decision, which the F.C.C. and the National Association of Broadcasters are appealing, will probably not be the last word on the subject of cross-ownership. The Supreme Court could overturn the decision on the grounds that the Court of Appeals exceeded its authority. Even if the Supreme Court affirms the Court of Appeals decision, the F.C.C. could seek additional evidence to support a new cross-ownership rule. The Court of Appeals decision does not require the F.C.C. to order across-the-board divestiture, nor does it require the F.C.C. to pursue diversity to the exclusion of other values. Relevant questions which might be pursued include whether newspaper-owned television stations provide more public affairs programming than other television stations and whether cross-subsidies from the newspaper-owned television station to the newspaper keep the newspaper afloat. Neither question was satisfactorily resolved by F.C.C. inquiry. Whatever happens in coming months, the Court of Appeals has dramatically redefined the terms of the debate. People used to ask: Is divestiture necessary? Now people are asking: Is cross-ownership necessary?

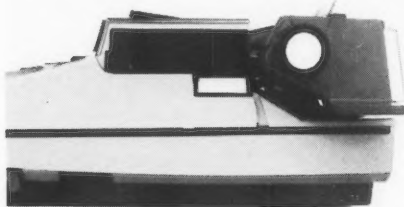
The Court of Appeals has reaffirmed that diversity of choice may depend in great part on diversity of ownership. As the court noted, "The First Amendment seeks to further the 'search for truth.' Surely that search will be facilitated by government policy that encourages the maximum number of searchers." ■

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But this year, like the last 10 years, more people will buy a Smith-Corona than any other brand.

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THE TYPEWRITER WITH A HOLE

When we designed our cartridge, we re-designed our typewriters.

In place of spool cups, posts, reversing levers, ribbon guides and messy ribbons, there's a hole.

The hole is for our cartridges.

Next to the hole is a lever. Depress the lever and the cartridge pops out.

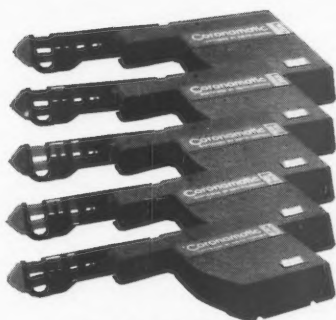
In three seconds, just by inserting a new cartridge, you can change a ribbon without getting your fingers dirty.

**mistakr
mistak
mistake**

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The hole also accommodates a correcting cartridge.

So when you make a mistake, you can snap out the typing cartridge, snap in the correcting cartridge, type over the mistake, snap the typing cartridge back in and type the correct character—all in ten seconds or less.



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Cartridges come in black, red, blue, green, and brown.

If you're typing along in black, but you want to type a line in red for emphasis, snap out the black cartridge and snap in the red cartridge. In just three seconds you can see red!

NYLON FILM

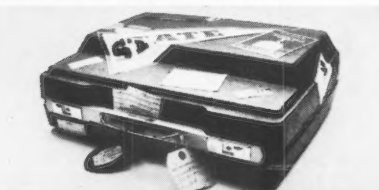
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The Smith-Corona electric portable with a film ribbon will give you the sharpest typing image of any portable.

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and type with real authority.

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We could make some remarkable statements about how we test out typewriters. But that's not necessary.

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So, for your high school graduate, we suggest you follow this simple formula:

Buy a doctor a Smith-Corona when he or she graduates from high school.

Buy a lawyer a Smith-Corona when he or she graduates from high school.

Buy a successful businessperson a Smith-Corona when he or she graduates from high school.



SCM **SMITH-CORONA**
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Why the government can't stop press mergers

Unless antitrust laws are rewritten, the Justice Department has only a shaky case against the growth of chains

by TOBY J. McINTOSH

On the wall of his Washington D.C. office hangs a large map of the United States sprinkled with green pins. "There is a green pin for every city with competing newspapers," muses Jerry Connell, a veteran Justice Department antitrust attorney, "but over the years I've pulled quite a few of those."

Hobbled by antitrust laws that rarely permit legal action, Connell, who has major responsibility for newspaper-related antitrust enforcement, has watched as newspapers gobbled other newspapers and as large chains absorbed smaller chains. Written almost a century ago, the basic antitrust laws were designed to combat single-headed monopoly power, such as the Rockefeller oil trust. The laws have never been altered sufficiently to work effectively against oligopoly power — the control of an industry by three, four, or five major firms. In part, the failure to revise the anti-monopoly laws springs from a long-running debate about what levels of industry concentration are acceptable. Now observers of the media are joining the debate to ask at what point the gov-

ernment should stem oligopoly concentration in newspaper publishing.

The four largest chains — Knight-Ridder, Newhouse, Chicago Tribune Company, and Gannett — now account for 23.6 percent of all daily newspaper circulation, according to figures compiled by John Morton, a newspaper analyst with Colin, Hochstin Company. Morton also calculates that 1,038 of the nation's 1,756 daily newspapers, or about 59 percent, are owned by firms controlling more than one paper. In 1971, only about 50 percent of the papers were under multiple ownership. Morton concludes that such concentration "is a process that's inevitable — it's going to continue."

Actually, these figures demonstrate a level of concentration far below the thresholds of oligopoly power in other industries — steel, automobiles, energy, aluminum. Antitrust enforcers have been unable to tackle even these industries, and the newspaper industry presents still more difficult problems. Without new means of enforcement, the trend toward oligopoly in the newspaper industry is likely to continue unchecked.

Antitrust laws have already demonstrated weakness in their failure to slow accumulation of newspapers by chains. As long as newspaper purchasers avoid acquiring a paper in competition with one they already own, they usually can assume immunity from antitrust attack. Seventy-two papers changed hands in 1976 without a single government antitrust suit.

Even a purchaser acquiring several publications in the same town may be fairly safe. Rupert Murdoch's recent kangaroo hop into New York City has been under preliminary investigation by the Justice Department, but the outlook for an antitrust challenge, according to insiders, is remote.

One major difficulty probably will stymie antitrust enforcers — that of

proving that Murdoch's control of the *New York Post*, *New York* magazine, and *The Village Voice* will tend to lessen competition substantially in the relevant market. That last phrase, "the relevant market," is a term of art for antitrust lawyers. Many cases rise or fall on its definition, and the definition problems are complex. Take, for example, a situation in which a can manufacturer buys a bottle manufacturer. How does such a purchase diminish competition? Obviously the deal doesn't increase concentration in either the can market or the bottle market, but it may diminish competition in the general container market. The degree of interchangeability and the intensity of competition between the two packaging methods will be a clue to defining the relevant market.

The same principle applies to newspaper mergers and acquisitions. Antitrust prosecutors must determine in what market newspapers compete. The established rule of thumb is that newspapers do not compete in the same market unless their circulation areas overlap. Justice has been successful in challenging acquisition involving overlapping territories, most recently in California in 1968 when the Times-Mirror Company (*Los Angeles Times*) was forced to divest itself of its purchase of the *San Bernardino Sun*.

Antitrusters consider the prime competition among newspapers to be competition for advertising. Competition for circulation is a secondary consideration. The potential for reduced news coverage or editorial content does not play even a bit part. Only the possibility of lessened competition for advertising dollars is relevant, and advertising experts are frequent witnesses at antitrust trials. An antitrust expert with Colin, Hochstin Company makes this comment: "One doesn't have to be dedicated to the notion of a free press to

continued on page 50

Toby J. McIntosh is a legal-economic correspondent for The Bureau of National Affairs, Washington.

AN I.Q. QUIZ

for anyone who reports on insurance to consumers.

Answers to quiz.

1. (C) insurance.
2. False. Separate coverage must be purchased.
3. No, but it could cost you thousands of dollars if you're underinsured.

1. Do "per Diem" and "Lump Sum Payment" have more to do with: (a) Chinese food (b) Southeast Asian political figures (c) insurance.
2. True or False. Flood and earthquake coverage are normally included under standard homeowners policies.
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'As long as newspaper chains are reasonably prudent about acquisitions, they can avoid antitrust prosecution'

continued from page 48

think that any concentration in the dissemination of news is to be avoided, but the antitrust laws are not concerned with concentration of the diversity of ideas — they are concerned with economic concentration."

Strategically, one of the best ways for the government to win an antitrust case is to define the relevant market narrowly, but this would prove to be a significant problem in the case of the Murdoch purchases. Because a weekly newspaper and a weekly magazine are involved, the relevant market necessarily would be wider than the daily newspaper market. Justice has never brought a case concerning competition in other than the daily press.

Murdoch undoubtedly would argue that the geographic area served by the publications is broad and that plenty of competition for advertising remains. In past cases, lawyers have argued that the relevant market of advertising alternatives includes billboards, matchbooks, skywriting, bumper stickers, and the electronic media, as well as periodicals. The Antitrust Division has prevailed in limiting the market definition for merger cases to daily newspapers by arguing that newspaper advertising is substantially different from other types of advertising; for example, classified ads and small-item price advertising by food and department stores have been used to differentiate newspaper advertising. That is, the variety of other advertising outlets and the size of the geographic area constitute factors working against the success of any Justice challenge to Murdoch's shopping spree.

Another defense available to those making acquisitions is known as "the failing company defense," which permits acquisitions if the paper to be acquired is "on the ropes financially," in the words of one antitrust attorney. However, the failing company defense does not protect an anti-competitive purchase if another buyer could have made the same acquisition with fewer anti-competitive consequences.

The related "potential entrant theory," unpopular with many judges and economists, holds that an acquisition should not be permitted if the purchaser might have entered the market

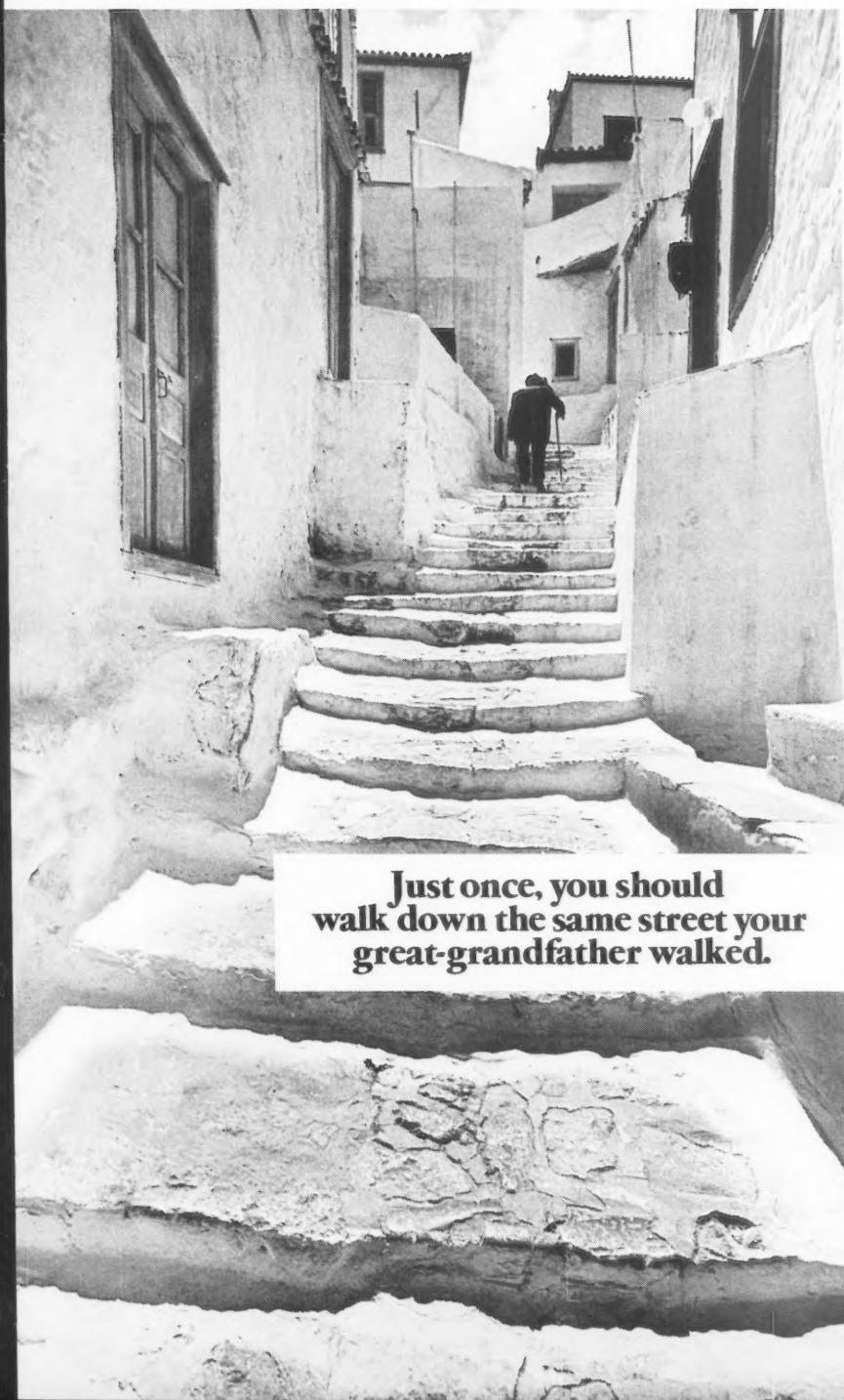
with a completely new publication. This is difficult to prove, since courts usually demand some form of evidence indicating the purchaser actually considered starting a competing newspaper as an alternative to buying an existing paper. Moreover, the potential-entrant theory is considered a dead letter so far as the newspaper industry goes because of the high costs of starting a new daily newspaper and the entrenched position of the potential competition, usually a paper enjoying a monopoly. Many industrial-organization economists cite such high "entry barriers" as crucial factors leading to the consolidation of existing businesses and eventually to oligopoly.

All the foregoing antitrust principles and problems point to dim possibilities for Justice action against the acquisition of chains by chains. To avert future challenges, chains need only avoid acquiring two papers in a single circulation area. Without such overlaps, Justice officials would be forced to devise a theory that the chains compete for national advertising. Justice officials admit this would be a tricky, probably impossible proposition, since the bulk of newspaper advertising is locally oriented. A major complication is presented, moreover, when national advertising campaigns are designed to be suitable for display in all forms of media. For example, national ads for a deodorant in the local paper may be identical to those plastered on billboards, or wafting from television sets. National advertisers themselves would probably testify that newspapers and the electronic media are competing possibilities for ad placement, and the courts often tend to accept an industry's own view of the relevant market. Thus, the definition of the relevant market would be huge — far too large for a merger between newspaper chains to "substantially affect" competition.

As long as newspaper chains are reasonably prudent about acquisitions they can avoid antitrust prosecution. This raises the possibility that, theoretically at least, a small number of newspaper publishers — four, for example — could scatter their purchases cleverly and each end up controlling 25 percent of the daily newspaper industry without much risk of prosecution.

If this occurs, the last of Jerry Connell's green pins may be pulled. ■

All of us come from someplace else.



**Just once, you should
walk down the same street your
great-grandfather walked.**

Picture this if you will.

A man who's spent all his life in the United States gets on a plane, crosses a great ocean, lands.

He walks the same streets his family walked centuries ago.

He sees his name, which is rare in America, filling three pages in a phone book.

He speaks haltingly the language he wishes he had learned better as a child.

As America's airline to the world, Pan Am does a lot of things.

We help business travelers make meetings on the other side of the world. Our planes take goods to and from six continents. We take vacationers just about anywhere they want to go.

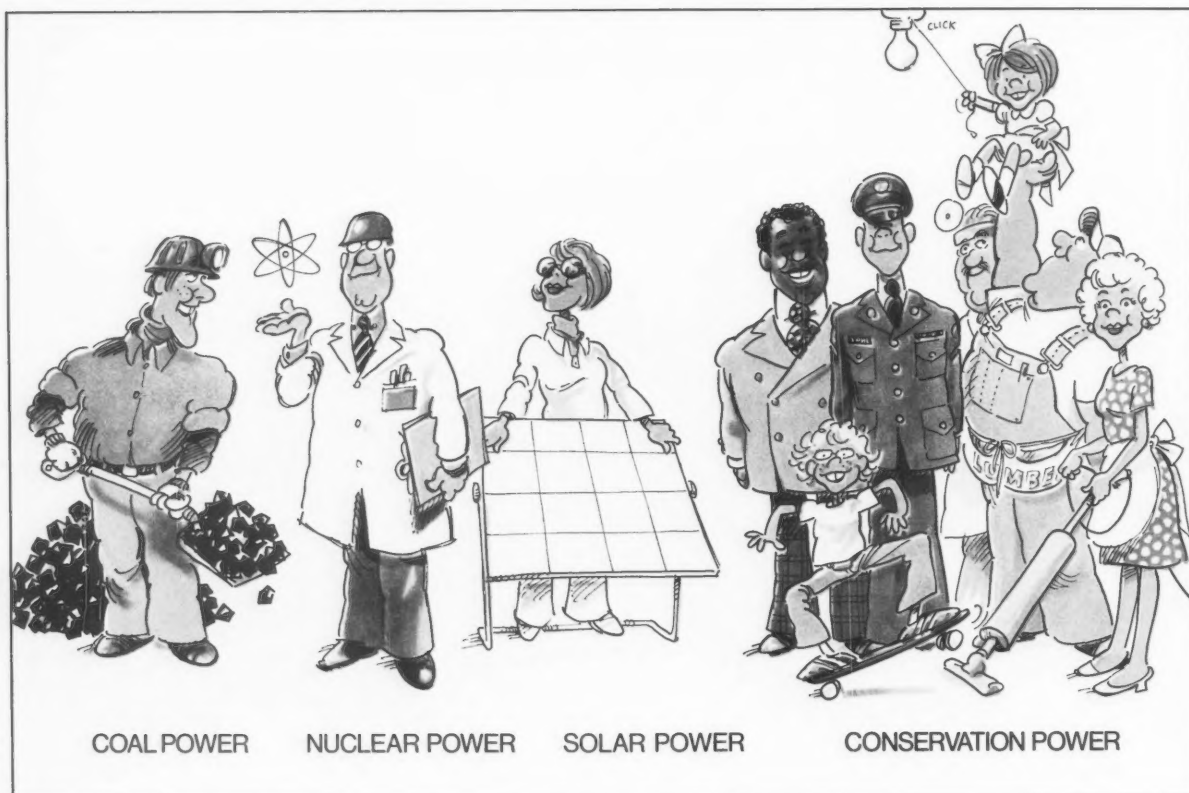
But nothing we do seems to have as much meaning as when we help somebody discover the second heritage that every American has.



PAN AM
America's airline to the world.

See your travel agent.

The more we can put all this power to work, the easier it will be to keep us running and warm.



COAL POWER

NUCLEAR POWER

SOLAR POWER

CONSERVATION POWER

It'll be a while before a lot of Americans thaw out and forget the Winter of '77.

One thing it made clear was that our country has a real energy problem. Natural gas, the fuel that heats more than half of America's homes, is in short supply, and meeting demand is difficult.

And, we've got problems with our domestic oil supply. We now have to import over 40% of our oil needs. In three years, this figure is expected to reach 50%.

What's going to ease the situation? A combination of things.

We've got to find and develop more domestic oil and gas. That's top priority. But, we've also got to get busy expanding and developing other sources of energy.

America has more coal than any other country

in the free world. It's a logical candidate to help ease the burden carried by oil and gas.

Nuclear energy can be a big help, too. And solar power can make a contribution.

And while we're developing all of these, we can't overlook another source of energy that's readily available to us—our conservation efforts. The National Petroleum Council has estimated that American families could save 14% of the energy used in their homes. Over the course of a year, that would save as much oil as our country imports in one month.

And that's a lot of energy for a strong America.



Energy for a strong America

The great Hustler debate

The conviction of Larry Flynt is forcing a reluctant press to re-examine — and re-affirm — the First Amendment

by ROBERT YOAKUM

If last summer's five-week trial and conviction of Al Goldstein and his *Screw* magazine didn't excite much press coverage or comment, this winter's five-week trial and conviction of Larry Flynt and his *Hustler* magazine did. Not since the landmark Supreme Court decision (*Miller v. California*) in 1973 — the decision that left the interpretation of the Court's obscenity definitions to "average persons applying community standards" — had the press carried so much news and discussion of sex and censorship.

Coverage of the *Screw* trial, as I indicated in the last issue of the *Review*, was minuscule, as was editorial comment. In contrast, both coverage and comment were plentiful during and after the *Hustler* trial. Certainly one reason for this increased interest was that the circulation of *Hustler* (nearly 3 million) is fifty times the circulation of *Screw*. Millions of people have at least seen the slick covers of *Hustler* on newsstands; only New Yorkers and patrons of a few specialized newsstands and bookstores elsewhere see the tabloid *Screw*.

Still, the *Screw* and *Hustler* cases have much in common:

□ Goldstein and Flynt were both de-

fended by the same lawyer, Herald Price Fahringer, and were tried in cities — after Fahringer's futile efforts to obtain changes of venue — known for conservatism in political, religious, and sexual matters. In neither instance did the trial site have anything to do with the production or distribution of the magazines, nor were any workers for the publications residents of Wichita (where Goldstein was tried) or Cincinnati (where Flynt was tried).

□ Both juries were told that under *Miller* they were to convict if they found that *Screw* or *Hustler* were publications "which appeal to the prurient interest in sex, which portray sexual conduct in a patently offensive way and which, taken as a whole, do not have serious literary, artistic, political or scientific value." In making this difficult judgment, the jurors were to assume a difficult role: that of "average persons, applying contemporary community standards."

□ Both cases involved conspiracy statutes, which have often been likened to shotguns available to prosecutors who are unable to get convictions on more substantial grounds. (Porno actor Harry Reems was convicted of being part of a conspiracy, too, in April 1976, for playing doctor for one day opposite Linda Lovelace in *Deep Throat* and accepting a \$100 fee. Reems "acted" in Miami but was convicted in Memphis — a city he had never even visited. This April he was granted a new trial, and the government announced that it would decline to try him again.

Only one of the twelve counts against Goldstein — all for mailing obscene material from New York to Kansas — was a conspiracy charge. Had the guilty verdict held up (it did not; a mistrial was declared and April 18 set as the date of a new trial in Kansas City, Kansas), Goldstein and his former partner, Jim Buckley, could have been sentenced to sixty years in prison and fines.

In Flynt's case, a controversial new Ohio law was used to make it possible to put the publisher away for a long time.

Flynt was convicted on the usual charge of "pandering obscenity," a misdemeanor punishable by a maximum penalty of six months' imprisonment and a \$1,000 fine. But he was also convicted of "organized crime," a felony that brought him an additional seven to twenty-five years in prison and a \$10,000 fine. The "organized crime" statute says that when five or more people conspire or collaborate for profit in a criminal enterprise — obscenity in this instance — it's a first-degree felony. Flynt was indicted with other people, including his wife and brother, but the rest — illogically — were acquitted. Flynt became a one-man perpetrator of "organized crime."

□ Both Flynt and Goldstein could have a long and costly judicial fight ahead. Goldstein says he has spent more than \$300,000 defending himself 1,500 miles away from home, and could go broke with the second trial, especially if he is convicted and appeals follow. Flynt has spent nearly \$200,000 on legal fees and \$60,000 more to enlist public support for, among other things, the reversal of his conviction on appeal. Flynt can hold on longer than Goldstein; the projected 1977 profit for Larry Flynt Publications, Inc., is \$20 million.

□ Both magazines are undeniably pornographic, which the dictionary defines as "writings, pictures, etc. intended primarily to arouse sexual desire," and a good case could be made that each, in its way, is obscene by the Supreme Court's 1973 definition. *Screw* is "hard-core" in that it shows explicit sex acts; but funny captions, political polemics, newsprint reproduction, and a general atmosphere of mockery do much to dilute prurience. *Hustler* is not explicit, but its slick paper, crotch shots, and hardhat prose make it the raunchier of the two.

□ Both cases signaled — as did the Reems trial — new confidence by prosecutors that the superior courts would uphold obscenity convictions. In the Reems case, the prosecutor, Larry Parrish, was known locally as an energetic smiter of smut — a man who gained

Robert Yoakum, a free-lance writer and syndicated columnist, examined the prosecution of Screw magazine in the March/April issue.

much publicity and, with it, an enhanced political future. He recently quit as assistant U.S. attorney for western Tennessee to go on the national lecture circuit. The man who nailed Flynt, the Hamilton County prosecutor, Simon Leis, Jr., is running for re-election. The lesson has not been lost on other ambitious prosecutors or police chiefs.

According to a *New York University Law Review* survey there has been no increase in obscenity-related prosecutions since the 1973 decision; the new element — present in the *Screw*, *Hustler*, and Reems cases — is the eagerness of some local officials and U.S. attorneys to prosecute national publishers, or actors, who neither work nor live in the community where they must stand trial. Given such opportunities for power and for glory, it seems likely that more prosecutors will emulate the pioneers in Wichita, Memphis, and Cincinnati unless the Supreme Court stops them.

□ Most dramatically, the two cases fulfill the fears expressed by the four Supreme Court justices who dissented on *Miller* and other obscenity decisions of the same period. The majority can't say that it wasn't warned. Justice William O. Douglas, dissenting in one of these cases, wrote: "Every author, every bookseller, every movie exhibitor and perhaps every librarian is now at the mercy of the local police force's conception of what appeals to 'prurient interest' or is 'patently offensive.' The standards can vary from town to town and day to day in an unpredictable fashion. How can an author or a bookseller or librarian know whether the community deems his books acceptable until after the jury renders its verdict?" In his *Miller* dissent, Justice William Brennan predicted "substantial damage to constitutional rights and to this nation's judicial machinery." If the philosophy of the majority prevailed, Brennan wrote, "then it is hard to see how state-ordered regimentation of our minds can ever be forestalled. . . ."

The recent prosecutions, although initiated in the name of community standards, disregard the most easily measurable community standard — that of the marketplace. The total monthly circulation of all "men's magazines"

is, I estimate, in the neighborhood of 22 million. (Non-audited skin magazines abound, so some guessing was involved.) Millions of Americans attend X-rated films; prosecutor Larry Parrish estimates the movie audience, probably conservatively, at 15 or 16 million. And additional millions would surely be buying or viewing were the social stigma attached to these acts as slight as that in, say, Denmark or Sweden. In any event, it seems clear that a significant segment of 140 million adult Americans regularly read or view material that some other Americans regard as pornographic. But the uneasiness and silence of porn consumers make them probably the least effective large pressure group in the country.

The *Hustler* conviction has at the least stimulated debate on whether the chosen fare of these millions ought not to receive constitutional protection. Editorial writers, however, faced with the bad taste and pushy prurience of *Hustler*, have found the question an unwieldy one. With the exception of those few that applaud Flynt's conviction, the editorials begin with a vigorous denunciation of *Hustler* and Flynt, followed by a big "but" and an even more vigorous denunciation of the verdict.

"*Hustler* magazine is not the kind of thing you would find on most coffee tables," *The Washington Post* editorial began. "It is, perhaps, the most vulgar of the new breed of slick sex magazines. . . . But government ought not to be in the business of telling adults what they can read or see, even if other adults find the books, magazines, and movies offensive."

"Chances are you wouldn't want to display it on your coffee table," wrote *Newsday*. "But its sale is permitted in most jurisdictions, if only because an attempt to suppress it would be a step along the road to the book bonfire."

The New York Times: "There is little virtue in leaping to the defense of admirable publications. The test of our commitment to a free society lies in the courage to defend the disreputable or the vulgar in the service of a higher goal. The Hamilton County prosecutor conceded that he wished to draw a line, to test a theory of law. The case is indeed a test — of the Supreme Court's ambiguous 1973 ruling. It has failed."

The Miami Herald: "If there is a single community standard by which *Hustler* should be gauged, it is of a community of some three million alleged readers who have chosen to be there. It is a community most of us wouldn't want to live in, but, then, we don't have to. The Constitution says so."

In a letter accompanying an editorial, James W. Scott, an associate editor of *The Kansas City Star* and *Times*, wrote: "It comes down to this as it so often does: The Bill of Rights is nice to have around but people sometimes get upset when it is observed."

The *Memphis Commercial Appeal* pointed out that the Reems conviction in the *Deep Throat* case, right there in Memphis, didn't put a halt to pornographic movies, and that *Hustler* was "a sell-out favorite on Memphis newsstands." It concluded: "Clearly the 'Deep Throat' decision did little to protect the morals of Memphis. And the *Hustler* conviction is not likely to do much more for the morals of Cincinnati."

The *Los Angeles Times*: "There are two important rights here: Persons who find smut offensive should not have it thrust at them against their will. But, otherwise, adult Americans should be free to make their own choice."

Minneapolis Tribune: "The conviction of *Hustler's* publisher on obscenity charges is an erosion of the right of free speech guaranteed by the First Amendment. And that erosion has chilling significance for other publishers — and for filmmakers, writers, painters — and, ultimately, for all Americans."

Miami News: "It is simple enough for the American public to be the judge of its prurient or not-so-prurient interests. All it has to do is buy or not buy such publications."

Based on my own completely unscientific survey, I believe that fewer than 10 percent of the metropolitan papers were more or less in sympathy with the Flynt conviction. The *Worcester Telegram*, in this minority, said: "The conviction of Larry Flynt on obscenity charges has produced much radical-chic hand wringing, along with some serious concern about government censorship. We're inclined to think the concern is overdone." The *Telegram* rejected "the

notion that there is no such thing as obscenity," that it is impossible to draw a line between obscenity and constitutionally protected expression. "If the Flynt case, as finally resolved, makes the promoters of obscenity and pornography a bit more cautious, we see no great harm in that."

The *Chicago Tribune* said that the Flynt conviction "brought a predictable outburst from the anything-goes liberal fringe, from the American Civil Liberties Union, and from some of our friends in the press. . . . But freedom of the press is not really the issue here. Nearly 20 years ago the Supreme Court ruled in the Roth case that obscenity, like incitement to rebellion, is beyond the protection of the First Amendment."

Because of the "wholly unreasonable" jail sentence imposed on Flynt, the *Tribune* said, "we suspect that this issue will be bouncing around in the courts for some time to come. But however it comes out, we hope the principle will be upheld that obscenity is not a First Amendment freedom and that community standards may play a part in determining what is obscene."

The *Wall Street Journal* took to task "the powerful elite in this society that denies the majority's right to censor even the most blatantly offensive sexual publications," and was particularly severe with ninety people, most of them writers (this one included), who signed a full-page newspaper advertisement protesting Flynt's conviction.

In its criticism of the advertisement, two-thirds of which consisted of a huge headline reading LARRY FLYNT: AMERICAN DISSIDENT, *The Wall Street Journal* was not alone. *The New York Times* said that "Mr. Flynt is no more of a dissident than any peep-show operator." The signers of the ad "scarcely enhance their reputations to slander by association the courageous men and women in totalitarian nations who are risking so much for principle."

Some of the original signers withdrew their signatures before the ad was printed. Nat Hentoff explained in his *Village Voice* column that he withdrew his name because of a reference in the lead paragraph to the vilification and imprisonment of "dissident writers in the Soviet Union and other nations."

LARRY FLYNT: AMERICAN DISSIDENT

Dissident writers and artists in the Soviet Union and other nations are being vilified and imprisoned, and President Jimmy Carter has stated his deep concern. In the wake of recent events, we urge the president to take a closer look at the restrictions of freedom of expression in America itself.

In Cincinnati, Ohio, publisher Larry Flynt was convicted of using *Hustler* magazine to pandor obscenity and of engaging in organized crime. Ohio law states that engaging in organized crime is five or more persons conspiring to commit a crime. Mr. Flynt was accused of working with members of his staff to produce *Hustler*—a charge such as this could easily be leveled at any pub-

lisher in the country. This clearly amounts to government harassment of a dissident publication.

As a result, Flynt was immediately sentenced to 7 to 25 years in prison and was fined a total of \$11,000. Bond was originally refused, pending appeal—an obvious infringement of his rights.

We the undersigned wish to protest the infringement of Mr. Flynt's rights under the First Amendment because it is a threat to the rights of all Americans. We cannot, under any circumstances, approve of government censorship. Further, we urge President Carter and all our fellow citizens to strengthen their commitment to protecting every American's right to freedom of expression.

Woody Allen
Michael Arlen
Joe Armstrong
Chuck Ashman
Noel Behr
Arthur Bell
Ronnie Bennett
Warren Bonom
Malcolm Brady
Barbara Cady
Vincent Carby
Robert Christgau
Ramsey Clark
Harry Cross
Judith Cross

John Dean
Joan Didion
Dagobert Dinkel
Larry Diller
John G. Dorn
Daniel Ellsberg
Stanley Fischman
Bruce Jay Friedman
Judge Charles Galtbreath
Brendan Gill
Allen Ginsberg
Ralph Ginsburg
Herb Gold
Al Goldstein
Michael Kramer
Jim Gonde

Gerald Green
Dan Greenburg
David Halberstam
Frederic Harrell
Joe Hanson
Hugh Hefner
Joseph Heller
Lutz Hendrix
Warren Huckle
George A. Hush
A. E. Hunsberr
Peter Kinnaman
Arthur Koeps
Michael Kramer
Philip Krasner

Arthur Kirschner
Jonathan Z. Lacer
Nad Leherman
John Leonard
Joe Levin
Thomas H. Lipscomb
Marshall Lumsden
J. Anthony Lukas
Peter Mann
Norman Mailer
Bill Marshall
Mike Machin
Rudy Maza
Frederic Monson
Philip Noble

Eric Norden
Eleanor Peris
Gerard Phil
Nicholas Pilgrget
Damon Rader
Rex Reed
Richard Rhodes
Harold Robbins
Ned Rorem
Richard Rosenzweig
Baron Rosen
Mike Rucka
Miké Salchurs
Robert Sherill
Geoffrey Stokes

Peter Stone
Gav Taber
Nan Taber
Gene Vidal
Nicholas Von Hoffman
Irving Waller
George T. Wein
Jan Weiner
Clark Whitten
Bruce Williamson
Emmett L. Wolf
Robert Yuskam
Sol Yursk
Mark Zusman

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Flynt as martyr: comparison in advertisement placed by "Americans for a Free Press" at Hustler's address deterred some would-be signers

Lewis H. Lapham, editor of *Harper's* magazine, signed and then "made the mistake of buying Mr. Flynt's magazine. This complicated the question. Mr. Flynt doesn't make it easy to quote passages from Milton's *Areopagitica*. . . . How is it possible to construe the degradation of human beings as a constitutional right? . . . Why should I protect the man who seeks to destroy what I have worked to build?"

Lapham said that he had no answers to these and other related questions.

"But I can see no reason for the press to make loud protestations about the First Amendment. Given the shabbiness of its present circumstances, the press does itself a disservice by choosing to defend its elevated principles on such doubtful and muddy ground as that offered by Mr. Flynt in Cincinnati."

Other signers, myself included, might have felt differently had they known about the "American dissident" headline, which dominated and warped the message. The text itself was otherwise

unobjectionable to those who believed Flynt deserved First Amendment protection. Apart from the absurd reference to dissidents, the petition read just like most of the newspaper editorials.

There was one other important reason why some writers refused to sign the *Hustler* appeal, and, in some cases, refused even to concede that Flynt's imprisonment would be a bad thing. Lois Gould, writing in *The New York Times*, said that she had received a telephone call asking her to sign the *Hustler* appeal. On reflection — after concluding that *Hustler* teaches people "that women are consumer goods — silly putty toys with replaceable parts, or snack foods with flavors enhanced by artificial spice and color," and after talking to a libertarian attorney who referred scornfully to "The First Amendment junkies [who] are out pushing again" — she decided not to sign, and not to feel guilty.

Ellen Willis, writing in *Rolling Stone*, said she found herself loathing "The ubiquitous public display of dehumanized images of the female body," which

**'Feminists
have argued that pornography
does not deserve
the protection
of the First Amendment
because it is a direct threat
to women's safety.'**

she sees as "a sexist, misogynist society's answer to women's demand to be respected as people, rather than exploited as objects. . . ." The issue becomes, she says, "whether women are obliged, in the name of respect for civil liberties, to tolerate what amounts to a legally and socially sanctioned hate campaign. Contemplation of this disturbing question has led more than a few feminists, radicals and liberal intellectuals to reconsider their traditional opposition to censorship. . . . Feminists have argued that pornography does not deserve the protection of the First

Amendment because it is a direct threat to women's safety.

"Though I share the impulse behind them, I think these appeals for an official crackdown are mistaken and dangerous. . . . Pornography is a threat to women," Willis wrote, but "radical agitation is a genuine threat to the state. There is no basis in our legal system for distinguishing between reactionary and revolutionary threats, but if our rulers nonetheless choose to draw such distinctions, we can be sure that they will not be drawn in the revolutionaries' favor. Feminists who support censorship are offering the state a weapon that will inevitably be used against us. . . ."

Finally, press reaction in Flynt's home state of Ohio, and in Cincinnati itself, is of particular interest. The pattern, with the exception of *The Cincinnati Enquirer*, was much the same as in the rest of the nation. All the papers I saw led with caveats about *Hustler*, but defended its right to print. The *Akron Beacon Journal* wrote: "Hustler doesn't seem to be a problem for its readers; nor does it seem to be a problem for the overwhelming majority of people who don't read it. It seems to pose a problem only for those who want to control what other people read."

The News-Messenger (Fremont): "We don't need Big Brother in Washington or Cincinnati deciding for us what is good or bad, what to read or not read."

Cleveland Plain Dealer: "Determinations of obscenity differ not only from one community to another, but also change from one period in history to another. The threat posed to a constitutional freedom by the *Hustler* case is grave and frightening."

And in Columbus, where *Hustler* is published, the *Citizen-Journal* wrote: "As reluctant as we are to be thought of as 'a defender of pornography,' we think Flynt's conviction was a bad precedent and the savage sentence given him was wholly unwarranted. . . . A Cincinnati prosecutor clearly is trying to put a national publication out of business by sending its publisher to jail."

The toughest anti-prosecution stand in Ohio was taken by the *Dayton Daily News*. Signed editorials by editor Arnold Rosenfeld and the editorial page

editor, Thomas Teeppen, as well as unsigned editorials, ridiculed the prosecutor, the judge, the verdict, the sentence, the "organized crime" law, the city of Cincinnati, *The Cincinnati Enquirer*, the Supreme Court, and censorship in general. And, of course, Flynt. Some quotations follow:

□ "Ohio's organized crime statute was meant for the guys who sink rivals in Lake Erie in cement shoes and carry submachine guns in violin cases. It is a bad law . . . and it gets worse when it is misapplied, as it was in this indictment. And worse yet when a trial judge smiles on the misuse, as Judge [William J.] Morrissey did."

□ "Cincinnati, otherwise a great city, never has made up its mind whether it most wants to be stuffy or prissy and usually it has settled for being both. Its preoccupation with its citizens' vicarious sex lives has bordered on the obsessional."

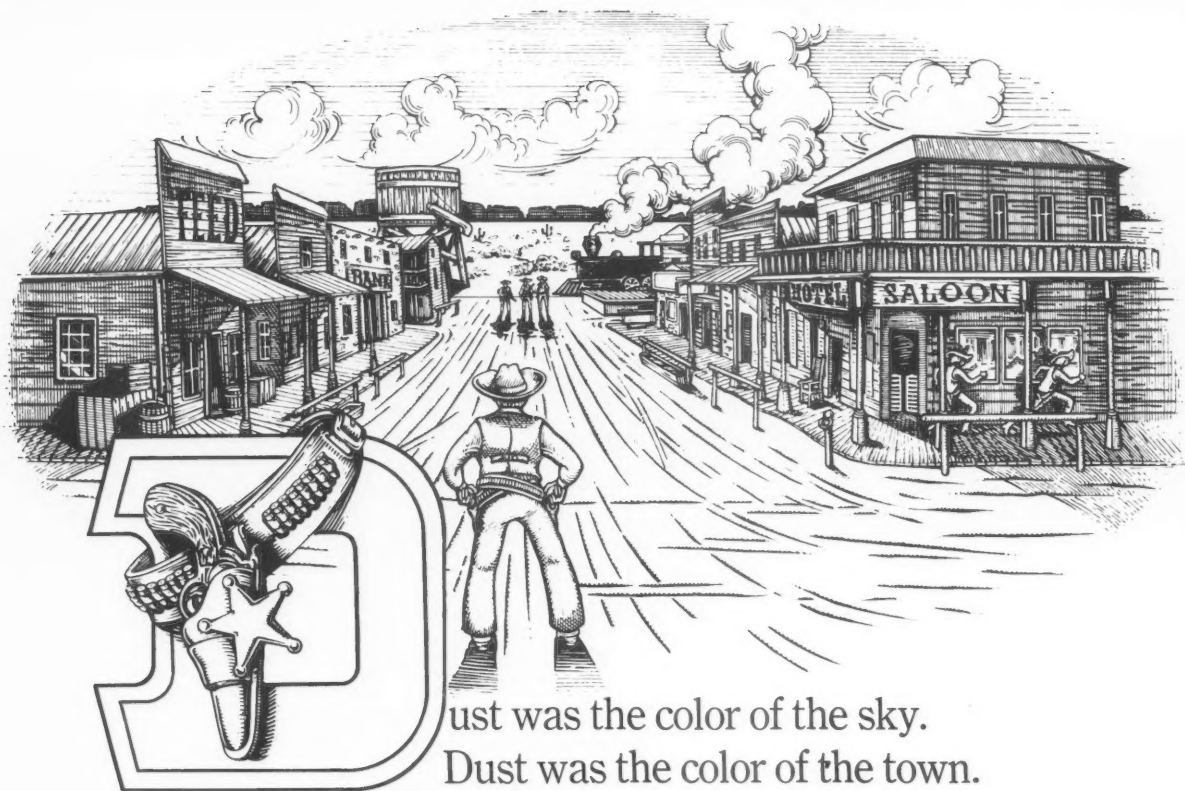
□ "This is crazy, an appalling and terrifying perversion of the law. . . . Yet nobody seems very concerned, least of all the news media of Cincinnati."

□ "Mr. Flynt cannot expect justice in Cincinnati. The leaders of the community come from an authoritarian tradition. Not even *The Cincinnati Enquirer*, which depends on the First Amendment for its own freedom, will stand up for freedom when it is claimed by a hotshot publisher of infantile humor and would-be sexy pictures."

□ "It is hard to believe even the Nixonized Supreme Court could gulp down such foolishness."

□ "Uniquely, of all the human activities and interests that are portrayed in writing and graphics, sex is submitted to the peculiar demand that what is said about it or shown of it must have socially redeeming value. It's quite all right, on the other hand, to sell candy that appeals to your taste buds' prurient interests although it has little nutritional value and rots teeth."

□ "These arguments are only superficially anti-pornography. At their root, they are anti-sex. . . . They seem to be outcroppings of self-fear, often tendered by persons afraid of their own sexuality and convinced, as some very heavy social institutions have worked hard to convince them, that unless sex is rigorously policed and repressed, plotted out



Dust was the color of the sky.
Dust was the color of the town.

The young sheriff moved toward the railway platform, pausing only to wipe his moist palms on his holsters.

He watched the Union Pacific engine hurtle around the bend and screech to a clanging, hissing stop. Silently, the Dalton boys swung from the train onto the station platform. Suddenly the sheriff found himself staring down the barrels of three shotguns. The street behind him was empty but for the dust.

There was no turning for help.

As his hands crept slowly toward his gun belt he knew he had to say it now or forever hold his peace. A crooked smile played about the corners of his mouth, as he drawled, "Boys, I want you to hear me and hear me good. Just remember, that Xerox is a registered trademark of Xerox Corporation and, as a brand name, should be used only to identify its products and services."

in lists of do's and don'ts, hedged around with intimidating no-nos, they themselves will become its prey in some ill-defined but no doubt wretched way."

The reference in the paragraph above to "some very heavy social institutions" is as close as anyone came to dealing openly with one of the nation's most potent pro-censorship pressure groups — the Roman Catholic Church. It is notable that of all the newspaper editorials I read on the subject of sex and censorship, not one mentioned outright the power of organized religion.

Cincinnati happens to be the home of what a *Wall Street Journal* article called "probably the most aggressive and well-financed group opposing pornography" — the twenty-year-old Citizens for Decency through Law, formerly known as Citizens for Decent Literature, which has ties to one of Cincinnati's newspapers. The founder and president of the C.D.L., which employs six full-time lawyers, is Charles H. Keating, Jr., who served as President Nixon's only appointee to the Commission on Obscenity and Pornography, and who wrote a strong dissent to the commission's majority report, which recommended the elimination of all legal restrictions on "the sale, exhibition or distribution of sexual materials to consenting adults."

"If you need a legal issue researched on obscenity," said *Hustler* prosecutor Simon Leis, "[the C.D.L. will] provide the help. They've helped prosecutors when they didn't know what the answers were. On your major obscenity films, they'll provide scenarios with pictures and summaries of dialogue."

According to the *Wall Street Journal* story, critics of the C.D.L. have often complained about its tactics. A Chicago lawyer said in court that during obscenity cases the C.D.L. "used to have forty or fifty women sitting in the pews with their rosary beads in full view of the jury." A man who said that a sex movie didn't offend him found that Keating had sent parts of his testimony to his employer. And when Abe Fortas was nominated to be Chief Justice of the Supreme Court, the C.D.L. showed key members of Congress a twenty-minute film clip of "material which Fortas while he was on the Supreme Court had said wasn't obscene."

A major contributor to C.D.L. is Carl Lindner, chairman of American Financial Corporation, which owns, among many other large enterprises, *The Cincinnati Enquirer*. Since 1972 Charles Keating has been executive vice-president of A.F.C., and his brother, William, resigned his seat in Congress in 1974 to become president of the *Enquirer*. Lindner is publisher.

There cannot have been much on the *Enquirer's* editorial pages during the *Hustler* trial that displeased Charles Keating. A house columnist, Bob Brumfield, wrote he couldn't "see any connection between the Flynt case and the First Amendment," and that even if *Hustler* deserved "the appellation 'press,' the publisher would have no more protection under the First Amendment than any other citizen." Brumfield concluded: "Flynt got his day in court. The people got theirs. Flynt was found guilty by a jury. Next case. The moral of the story, Larry, is 'Don't do the crime if you can't do the time.'"

The editorial on Flynt's conviction said that "the people of Hamilton County have the satisfaction, here and now, of having drawn a line and of having asserted that the moral consensus to which an overwhelming majority subscribe need not be abandoned to those who derive immense wealth from serving the most depraved instincts of a sick and tiny minority. . . ."

"What is actually at stake in the ongoing battle against pornography is an effort to restrain the animal impulses that are a part of humankind's endowment and to sustain an atmosphere in which man's nobler impulses can dominate him and, through him, society. This struggle, in essence, is what civilization is all about."

Enquirer readers were not told about adverse comment on the Flynt conviction in most of the nation's press. The only editorial reprinted was the one from *The Wall Street Journal*.

The Cincinnati Post, a Scripps-Howard paper, printed three editorials of the sort that appeared in a majority of the nation's other newspapers. They also bore down on the judicial behavior of Judge Morrissey. The *Post* criticized the "judicially punitive 'working life

sentence,' " and "the judge's refusal to admit testimony about two points: the fact that the U.S. Postal Service regularly delivers *Hustler* to local subscribers under a second-class ('publications') permit, and the fact that magazines similar to *Hustler* are readily available at newsstands in the county."

(It was that last decision, Fahringer said, that alarmed him most. It was "incomprehensible," he said, that he would not be allowed to bring in as evidence other sex magazines being sold in Cincinnati or to call on experts to say what the community's standards really were. One of these experts was a magazine distributor who was ready to testify that nearly a million "comparable" magazines had been distributed in Hamilton County during the eleven-month period of the indictment. Indeed, one juror, interviewed by *Post* reporters after the verdict, said, "I don't think it was fair to look at just one magazine. I think it made a big difference that those other magazines weren't there.")

Each of the *Post* editorials dealt with the basic problem: Should the First Amendment protection of free speech be set aside for obscenity? Saying that it should not be, the paper quoted this paragraph from the report of the Commission on Obscenity and Pornography:

"The Commission recognizes and believes that the existence of sound moral standards is of vital importance to individuals and to society. To be effective and meaningful, however, these standards must be based upon deep personal commitment flowing from values instilled in the home, in educational and religious training, and through individual resolutions of personal confrontations with human experience. Governmental regulations of moral choice can deprive the individual of the responsibility for personal decision which is essential to the formation of genuine moral standards. Such regulation would also tend to establish an official moral orthodoxy, contrary to our most fundamental constitutional traditions."

However grudgingly, the bulk of the national press, under pressure of a case it dislikes and on ground it finds distasteful, is swinging around to agreement with the commission, and the position that even pornography must have some constitutional protection. ■

The Speidel story makes a point about something even more varied than watchbands.

Almost everyone needs some kind of watchband, but it may surprise you that one company can offer more than 200 kinds and still keep adding new ones all the time. The sales of the Speidel Division of Textron prove that's a sound marketing approach. They also show that people have an appetite for variety which would be hard to satisfy under any other economic system.

Stories like this make an effective case for private enterprise, as an initial survey of viewer reactions to Textron's current television campaign shows. Comments on the advertising, which includes commercials

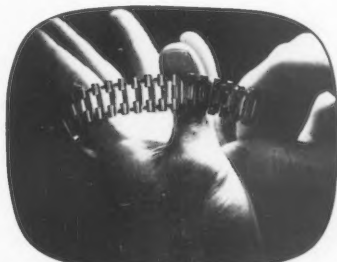
about several other divisions of Textron, were overwhelmingly favorable. 93% of viewers with proven recall of the campaign said the commercials were informative. 96% found them believable. 84% thought corporations should do this kind of advertising.

Viewers had some nice things to say about Textron, too. Which goes to show that making a case for Business can be good business.

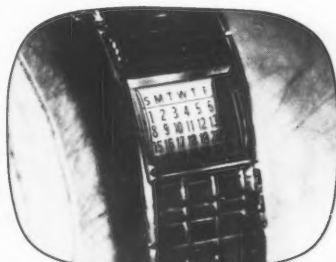
For more details on the research, and a copy of our Annual Report, write "Response," Dept. T., Textron, Providence, Rhode Island 02903.



This is all you really need to keep your watch on your wrist. And if it wasn't for competition,



it might be all you could get. As things are, you can choose a watchband because it's convenient...



informative... sporty... sophisticated...



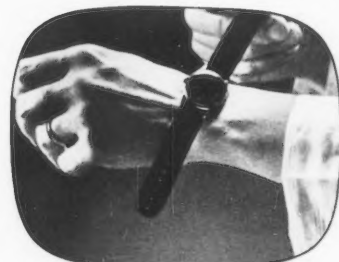
romantic... you name it. We make more than 200 different kinds of watchbands



at the Speidel Division of Textron, and our competitors make a lot, too.



Do people really need all these Speidel styles to choose from? Maybe not. But they do seem to want them. And freedom



to make things just because people want them is important. If you could only buy one kind of watchband, it would just make life a little duller.



That's what private enterprise is all about. But suppose you could only buy one kind of anything? Providing freedom of choice, that's what private enterprise is all about.



And that's what we do at every division of Textron.

CHRONICLE

Sold — two papers (used)

The march of independent newspapers into conglomerate ownership, described in the last issue by Ben H. Bagdikian ("Newspaper Mergers — the Final Phase") continued without pause in the early months of 1977. The two most important, and surprising, transactions were the sale of the country's best-known employee-owned newspaper company, in Kansas City, to a broadcast-based conglomerate, and the acquisition of the family-held Buffalo Evening News by a trading-stamp concern. Here are reports on the two sales.

Traditions have died hard at *The Kansas City Star*. The monumental William Rockhill Nelson, who founded the paper in 1880, shunned executive suites in favor of a plain desk in the newsroom; so did his best-known and equally mammoth successor, Roy A. Roberts; and so have their successors down to 1977. Another tradition has dictated that the chief officer should rise by way of the news department, not through advertising or circulation, and so it was with the incumbent, W.W. Baker, and his three immediate predecessors. Finally, the *Kansas City Star* Company clung for fifty years to an unusual form of ownership, with all stock held by employees or retirees, and the company run by an all-employee board of directors.

These traditions came to a startlingly abrupt end when, on January 19, 1977, *The Kansas City Times* (the morning, and larger, paper, which Nelson bought in 1901) announced the impending sale of the company. What had happened to tradition? The simple answer was that the *Star* Company was running a little short of money and that the buyer, Capital Cities Communications, Inc., was offering a great deal — \$125 million, or

enough to make the fifteen to twenty employees and retirees holding at least 1 percent of the stock into what news stories called "instant millionaires."

The papers were certainly not going broke, but they faced problems. In the first nine months of 1976, the company had made only about 3.2 percent on its revenues of \$135.6 million. Heavy demands for capital were in prospect — for conversion to cold-type printing and further computerization, for installation of pollution-control equipment at the Flambeau Paper Company, a sub-



papers, his arrangements for perpetuating it did not extend beyond the lives of his immediate family. When his daughter died in 1926, the company went up for sale. The employees, led by Nelson's son-in-law, filed the winning bid of \$11 million.

Thereafter, *Star* and *Times* employees were offered periodic opportunities to buy shares in their own papers. Outsiders were excluded. Retirees at first were permitted to keep stock until they died, when the company bought it back; more recently, the rules have required employees to relinquish half their stock on retirement. To help employees buy, the company lent them money at rates as low as 1 percent, but the Securities and Exchange Commission required higher rates when the stock's book value rose, and the last two offerings did not sell



True titans: Roy A. Roberts (left) and William Rockhill Nelson

sidary, a cost that by itself might run to as much as \$14 million. In 1976, the *Star* Company had undertaken long-term borrowing for the first time.

Why should monopoly papers in a thriving city find themselves in a pinch? Some of the causes lay in the arrangements made fifty years in the past, when the *Star* Company was last up for sale. William Rockhill Nelson's philanthropy, which gave his adopted city a museum of art and a \$12 million trust fund to stock it, did not extend to his employees. Although he built a paper notable for supporting civic virtue and for supplying first-rate talent to other

out. Meanwhile, the company had to make heavy repurchases as big stockholders from the early years retired or died. At the time of the papers' sale, there were only 535 stockholders, including retirees, although the company had 2,000 employees.

Aside from its peculiarities of ownership and style, the company did not operate much differently from other commercial newspapers. It helped maximize profits by holding down pay to modest levels. It continued into the 1950s still another Nelson tradition — that of forcing subscribers to take both papers (and the Sunday edition) and making adver-

WILL TAXES BE THE DEATH OF OUR CITIES?

Taxes go up. Services go down. And people move out. Not only in New York, Newark and Detroit. But even Atlanta, which some call the world's next great city.

In the past four years, Atlanta tax collections soared by \$17 million. Even though \$18 million owed mostly by business went mysteriously uncollected. The city took in \$7.6 million over budget last year. This year \$9.3 million. Yet taxes keep going up.

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Higher taxes and more revenues collected

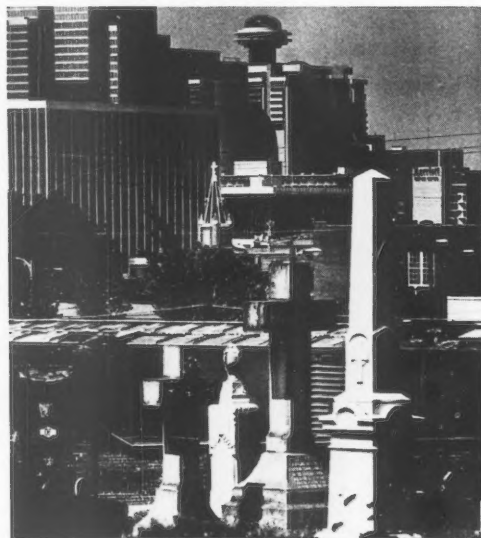
should mean improved services. Right?

Wrong. Garbage collection went from twice weekly backyard to once-a-week curbside. Downtown gets dirtier, parks and classrooms more crowded.

Any wonder 6,300 taxpayers leave Atlanta every year?

Rising taxes and declining services would be enough to drive them away. But, when collections continue to show a surplus and taxes still go up, the problem goes deeper.

The real threat to Atlanta is not lack of money. It's poor management. Inefficiency. And lack of leadership at City Hall.



AFSCME

In the public service. For Atlanta.

tisers buy space in both or stay out; a federal antitrust decree followed by a court battle terminated the practice. Circulation still has not recovered the peaks reached by those means, but it has grown modestly in recent years — to 330,000 for the morning paper and 305,000 for the evening. Advertising lineage has also gone up.

And yet there was a pinch. Did the newsroom-based officials of the company have insufficient management expertise to run a newspaper in the 1970s? Some employees have charged that the sale was the outcome of poor management; when asked about this charge, Ben B. Schiffman, financial editor, financial vice-president, and the oldest active editorial employee, declined to answer. Would he call the management efficient? "I was," he says. President Baker, more mildly, replies: "That's a judgment for others to make. The *Star* is a healthy company, a healthy paper."

The purchaser, sometimes known colloquially as CapCities, evidently approached the papers without solicitation, although a *New York Times* story has pointed out that Schiffman's son is an employee of E.F. Hutton & Company, Inc., which handled the transaction. The offer was for \$139.54 a share, more than double book value. The *Star's* board of eight members, owning 11 percent of the stock among them, recommended acceptance. There was no general meeting of stockholders, and opposition remained disorganized.

The Star Company will obviously change the shape of CapCities. The company started as a broadcasting group, but now holds one other major paper combination, in Fort Worth, as well as dailies in Pontiac, Michigan, and in Belleville, Illinois, and the string of Fairchild trade periodicals (*Women's Wear Daily* and others). Although the conglomerate has been far more profitable than the Star Company (it earned more than 16 percent on its revenues in the first nine months of 1976), its total sales are only fractionally larger than those of the Kansas City papers. The acquisition all but doubles the size of its business.

An early suspicion of staffers has been that the new owners will try to

make the Kansas City papers come up to CapCities standards of profitability, and that this could mean closing the less prosperous of the papers, Nelson's own *Star*. Baker, who continues as president and editor, says he does not expect any such move. But there have been changes. A production expert has already come in to help improve printing quality. Capital Cities has also imported a new chairman from Fort Worth. It may be a symbol of the new era that he did not take a desk in the newsroom, but an office on the first floor, with the business and advertising department.

GEORGE KENNEDY

George Kennedy is a member of the University of Missouri faculty of journalism.

The *Buffalo Evening News* was started by Edward H. Butler on October 11, 1880, less than a month after William Rockhill Nelson brought out his *Kansas City Star*. Both were part of a wave of newspaper expansion fostered by the rapid growth of American cities. In Buffalo, Butler family ownership lasted well into the present age of contraction. Although the paper never gained the citywide monopoly enjoyed by the Kansas City papers (the morning *Courier-Express* competes with the *News*), it prospered and enjoyed a reputation for rather somber thoroughness.

It was death and taxes that led to change at the *News* this year. In 1974, Mrs. Edward H. Butler, widow of the founder's son and sole owner, died and left a potential multimillion-dollar estate-tax liability. Anticipating that bill, the estate disposed of the newspaper, for about \$33 million, while retaining local broadcast properties.

The name of the acquiring organization was scarcely one to stir confidence among journalists; yet Blue Chip Stamps was at least knee-deep in newspapers. The chairman, Charles T. Munger, is related to an old Iowa newspaper family. More important, Warren Buffett, who holds 61 percent of Blue Chip, also is chairman of the concern that runs the estimable Sun Newspapers of Omaha, which won a Pulitzer for their investigation of the financial affairs

of Boys Town. Even more important, the same concern holds 10 percent of the Washington Post Company, and Buffett is a director and chairman of the finance committee of that company. The *Buffalo News* has thus become part of a rather formidable constellation. And it is encouraging that Blue Chip seems to value the *News*. As the Blue Chip president, Donald Koepfel, remarked: "News-papers are like Rembrandts; there are fewer of them every year." J.B.

A magazine about excellence?

Quest/77

Robert Shnayerson, editor. Published bimonthly by the Ambassador International Cultural Foundation. Single copy, \$2; subscription, \$12 a year

Quest/77, judging by its first issue, published in March, is a thinking person's coffee-table magazine. Willing into being and financed by Herbert W. Armstrong of the Worldwide Church of God, and now edited, after appropriate guarantees of editorial independence were made, by a former editor of *Harper's*, *Quest/77* (the digits will change with the years) seems determined to publish the toniest good news its editors can find. The magazine's charter, says Shnayerson in a note to readers, "is the pursuit of excellence, the search for the fully lived life."

In the first issue Everest is climbed; Thomas Jefferson's life is summarized by Max Lerner; and George Plimpton celebrates yet again the fearsome greatness of Vince Lombardi. A country pediatrician and a stonemason are profiled, and Tony Jones, who used to perform similar tasks at *Harper's* magazine, puts together sixteen pages of short items about courage.

The magazine is handsomely designed, in a traditional way, and has the look of expensively produced instant success and prestige. It remains to be seen whether its editors can make more of it than a kind of *National Geographic* of the spirit. R.C.S.

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WORKING

A clash of philosophies

Darrell Mack came to the Beaumont, Texas, newspapers as executive editor three and a half years ago, after sixteen years with United Press International, the last seven as Houston bureau chief. He set about to upgrade the morning *Enterprise* and evening *Journal*; he hired a labor reporter, an editorial cartoonist, a full-time religion editor, and a professional librarian; he named a woman city editor; he opened an East Texas bureau; he raised editorial salaries an average of 30 percent; soon he began to attract young talent from all parts of Texas.

Gene Cornwell was promoted from business manager in 1975 to succeed the publisher who had hired Mack. He was named by the papers' chain owners, Jefferson Pilot Publications, Inc., of Lakeland, Florida, a subsidiary of a North Carolina insurance company. Cornwell has said that he believes that "a newspaper needs to reflect the philosophy of the man in charge, within bounds — which means myself."

Almost from the start, Cornwell's philosophy meant conflict with Mack. Three or four times, Cornwell says, he pulled from the paper editorials with which he disagreed; at other times, he imposed editorials over Mack's objections. Most notably, he insisted that the paper endorse Ford for president. However, he permitted Mack and the editorial-page editor, Kim McMurray, to run a dissent in the letters column pointing out that the paper had opposed many Ford policies and thus should not ask readers to vote for him. The dissenters stopped short of endorsing Carter.

Staff members say that Cornwell also

involved himself occasionally in news operations. They offer as one example Cornwell's instruction to editors on the day before a city election in 1976 to kill a story analyzing the factual accuracy of a statement by a city manager fired nine months earlier. In place of the evaluative story, Cornwell ordered publication of the statement verbatim, without comment, starting above the fold on page one. All this happened, say staff members, while Mack was out of town.

There matters stood until Saturday, February 26, 1977. On that day, an advertiser called Cornwell to complain about a section of the Sunday paper that had been printed on Friday. The publisher, unaware of its contents, picked up a copy of the section and read it on the way to a meeting in Dallas, and was appalled. There on the first page of the Sunday "Living" section were three stories by Beverly Narum, a staff writer. Two were relatively harmless items about how supermarkets merchandise goods and how they handle house-brand products. But the zinger was a story at the bottom of the page under the headline: COMPARISON SHOPPERS RATE THE STORES. It was a report on months of meticulous comparison shopping in the spring and fall of 1976 in nineteen local supermarkets. The project had been conducted by a nonprofit group, with some participation by Narum herself. One of the paper's big advertisers — a chain named Market Basket, with twenty-three stores in the *Enterprise-Journal's* circulation area — turned out to have virtually the city's highest prices. Market Basket had bought \$115,000 worth of advertising in 1976. Another chain, Weingarten, with eleven stores in the Beaumont area and \$192,000 worth of ads in 1976, fared rather better in the survey, but still threatened to sue if the figures were in error. Worse still, from a publisher's point of view, the two chains with the lowest and second-lowest comparison

prices had relied mainly on direct-mail advertising; their *Enterprise-Journal* ad budgets in 1976 had been only \$15,000 and \$5,000.

After the weekend, Cornwell called Mack into his office and fired him, just minutes before a conciliatory meeting with the president of Market Basket. Cornwell said later, "I was highly resentful that a story that could have a financial impact on the paper was not brought to my attention." He conceded that the price-comparison story had been "very well done" and that it might have run in any case, but he wasn't sure because, as a hired publisher, he was "playing poker with someone else's money." For his part, Mack said that he had not cleared the story with Cornwell because "I didn't want to fuss with him about it," and contended that Cornwell had told him he would have killed the story.

The news staff soon showed that the habits of independence it had learned with Mack had not been subdued. At a midnight meeting on March 3, seventeen of thirty-two staffers voted to walk out but were dissuaded by editorial superiors and Mack himself. But on page one of the morning *Enterprise* for March 4 — the day after Mack departed — there was a story that started: "Darrell Mack, executive editor of the Beaumont *Enterprise* and *Journal*, was fired Tuesday by publisher Gene Cornwell after news stories comparing grocery prices brought criticism from executives of major grocery store chains." There was a similar story in the afternoon *Journal*.

Once again, the publisher was stung. He had not seen the firing story and he charged that it was inaccurate — and even that Darrell Mack had dictated it to the reporter. In the story, Cornwell was quoted as saying: "There is no one in this plant that is more conscientious than Darrell Mack. There is no one who has

Tom Curtis writes for Texas Monthly. Winthrop Quigley covers labor for The Albuquerque Journal.

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Step Four. Price Controls.

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Step Five. Environmental Constraints.

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higher moral values, no one who has higher ethical values. But for the past eighteen months he and I have had basic differences in philosophy. The stories Sunday . . . were the culmination of many differences over the last 1½ years." Mack agreed.

TOM CURTIS

Santa Fe: an unexpected union

In recent years, the newsroom of *The New Mexican*, Santa Fe's one daily newspaper and a member of the Gannett chain, had become an inviting target for a union. Pay, according to staffers, ranged from \$180 to \$200 a week, low even for a paper of 18,000 circulation. One lower-echelon editor, no longer with the paper, found himself forced to accept food stamps. Another employee claims to have worked a thousand hours of overtime in 1976 and received nothing in compensation but a few extra days off. Turnover was high; three years' seniority made an old-timer. Another staffer (all asked not to be identified for fear of reprisal) said: "Employees were made aware that any given moment there were enough applications from people with talent and experience in other parts of the country to replace the entire news staff if that was called for." A photographer described management's attitude: "You live in Santa Fe. What we don't pay you in money you have in mountains and blue skies and Indians and you ought to be happy you're here."

Predictably, staffers got in touch with The Newspaper Guild, one of 162 such inquiries received by that union in 1976. The Guild, whose organizing staff was stretched thin, referred the request to the old, blue-collar International Typographical Union. Such a reference would have been surprising a few years ago, when the I.T.U. and the Guild were fighting over jurisdiction. But now the two unions, both with declining

membership, have a tentative agreement to merge — an action that seems to make sense as electronic production equipment moves into newsrooms. Moreover, the I.T.U. had conducted the first serious newsroom organizing in this country, when it had chartered a sizable group of Newswriters' locals in the 1890s. The I.T.U. had returned to newsroom organizing in 1973, and by 1977 claimed seventeen newsroom contracts.

An I.T.U. organizer, Monroe Walsingham, held his first secret meeting with *New Mexican* reporters on August 20, 1976, and in the relatively short time of five months a certification vote was set. Management was not idle. Many newsroom employees suddenly received \$20 to \$40-a-week raises. Some were invited to lunch to hear arguments against the I.T.U. But the major effort was a prime-ribs dinner that management threw at a local hotel for newsroom people on the night before the vote. One reporter and union activist said: "It was a goddam Fellini movie. One of the most unpleasant experiences I've had in my life." Management brought in as an extra persuader Robert Bentley, executive editor of the *El Paso Times*, a Gannett paper that had repulsed the I.T.U. The honored guests reported that they had been told how hard it would be to leave the union once in; that bad workers would go unpunished and good ones unrewarded; that the I.T.U. was a dying union; that the I.T.U. was not interested in quality journalism; that unions interfered with good intramural relations; that unions failed to deliver on their promises.

Despite all this, *The New Mexican* was obliged to report on January 13, 1977, in the first story it carried on the matter, that the I.T.U. had won. The vote was 18 of 34 in favor, 9 opposed. The paper had the first unionized newsroom in the state.

Asked to discuss the controversy, and specifically the charges by reporters about working conditions, the paper's president, Stephen Watkins, said: "I could respond endlessly on the subject

but I don't intend to respond for publication. I don't see that anything is going to be accomplished by this interview." When asked why the union won, he said: "I don't think that's worthy of discussion. We're going to be negotiating with them and will basically discuss the issues that presumably got them uptight."

Walsingham, the organizer, had predicted long, difficult negotiations for a contract. A reporter observed: "The point was made during the campaign that if for some reason we won the election they were going to make it clear that they have more power than we do, and I think they are attempting to fulfill that promise."

WINTHROP QUIGLEY

It's 'unreasonable' to deny leave

An item in this department in the March/April issue noted the reluctance of employers to let journalists take even unpaid leaves for mid-career study. In February, an arbitrator directed Reuters, the wire service, to approve an employee's applications for university fellowships and, should he receive one, to grant him leave for an academic year. The ruling was made under a clause of a contract with The Newspaper Guild that provided that unpaid leaves should be granted "for good and sufficient causes." According to an account in *Frontpage*, the New York Guild paper, the employer resisted the request of the staffer, Bob Kearns, because it would have to promote a lower-grade reporter to replace him and because it feared that Kearns might not return to his old job. The arbitrator interpreted management's position as indicating that Reuters was "interested in employing only robot gatherers of facts . . . and would consider it 'dangerous' for them to be exposed to educational processes that could give them decisional understandings as to what they were writing."



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The F-15 Eagle. Day or night, in all kinds of weather, there's nothing like it on the horizon.

MCDONNELL DOUGLAS



BOOKS

Photojournalism/76

National Press Photographers Association, University of Missouri School of Journalism. 268 pp. \$19.76

Yesterday's news may be stale and dead, but its images haunt the mind. Unlike words, photographs are instantly memorized, and, unlike the transient television image, they allow events to be recollected repeatedly in tranquillity. *Photojournalism/76*, a collection of pictures awarded prizes by the National Press Photographers Association and the University of Missouri School of Journalism, presses 1975 between book covers for safekeeping. Here is that unforgettable scene of the saved fighting off the damned as refugees storm the last helicopters leaving South Vietnam. Here is the eerily silent, stopped motion of a woman and child plunging through air as a fire escape collapses. Here are moments worth remembering from Hackensack, Lorain, Eugene.

The book plumps for disaster and the symbols of violence. Even the opening picture in the sports section shows boys playing basketball while a tenement burns. Of course, newspapers batten on calamity and grow fat on fear; still, no one needs, on one page, five nearly interchangeable photographs of cops with drawn guns subduing suspects.

The predicament of living day to day can be as compelling as a pistol. To judge from this book, southern and midwestern papers, some in small towns, give humanity more leeway than the rest of the country does. A Fort Wayne photographer's improbably swollen, hairy, tattooed motorcyclist holding up his porcelain-pale baby (named Harley Davidson) mates menace with humor and is worth a thousand words on family and continuity. Feature stories on an old bum who sleeps in a galaxy of empty bottles, or two invalids

who married and moved out of a nursing home, are superlative journalism.

The book reminds us how heavily the photoreporter depends on luck, on being there when the fire escape crashes or Squeaky Fromme aims at President Ford. And how hard these photographs lean on the printed word: A plane apparently engulfed in smoke is actually spraying chemicals on a brush fire. But the caption writers for *Photojournalism/76* need to tighten their focus — after telling us that Ford was unhurt in a six-frame stumbling bout, they add that he vetoed forty-three bills.

The pictures speak eloquently, and the second half of the book is unequivocal testimony that photojournalism lived on after *Life* and *Look* went down. *National Geographic* alone could prove the point. A few photographers, like Steve Raymer, Ken Heyman, Georg Gerster with his astonishing aerial views, miraculously combine documentary information and esthetic grace.

Would that this book could do the same. The photographs, despite splendid moments and a dizzying emotional range, sometimes seem to lose out to dark printing, with consequent loss of detail; to the choices — scarcely any action in the sports section, for instance; to the juxtapositions — newspapers would not ordinarily put an eight-year-old faith healer opposite New York's Mayor Beame; and to the occasionally atrocious layout, which spreads pictures gratuitously across gutters or crowds them till they're hard to "read."

Unusual treasure: one year's pains, performances, oddities. I hope the editors continue to collect them. I hope they learn to handle them with care.

VICKI GOLDBERG

Vicki Goldberg is a free-lance writer whose specialty is photography.



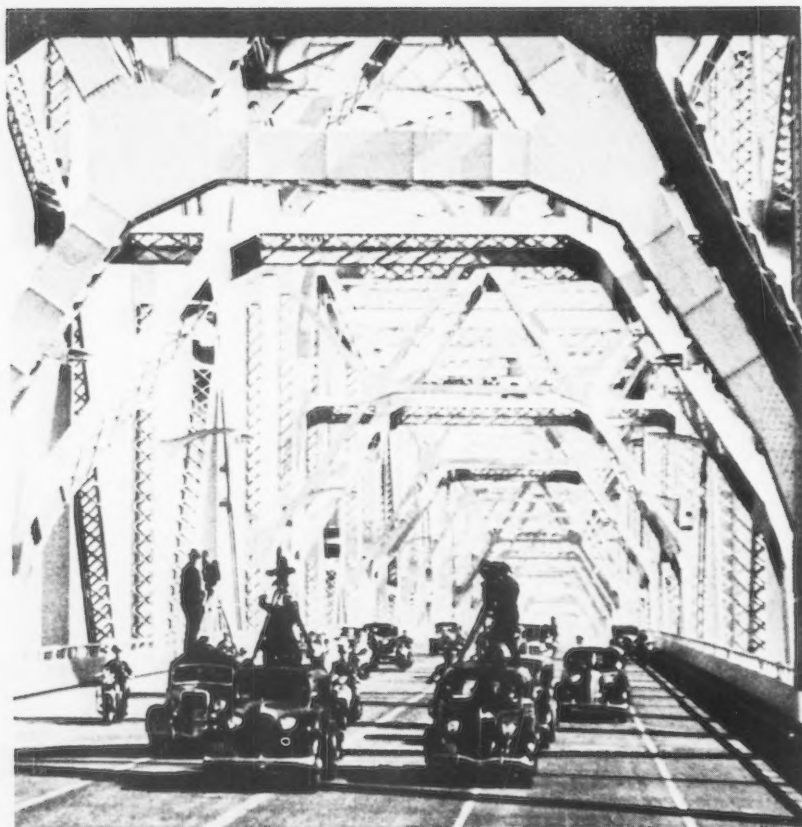
Photojournalism/76

Photo credits, clockwise from upper left: Rob Goebel, Stanley Forman, Edward J. Reinke, Neal Boenzi, George Teidemann





continued on next page



Movietone camera crews film the news.

Stop the Presses: The Newspaperman in American Films

by Alex Barris. New York: A. S. Barnes & Co. 211 pp. \$17.50

Movietone Presents the 20th Century
by Lawrence Cohn. New York: St. Martin's Press. 376 pp. \$17.95

There is a clear need for well thought-out studies that illuminate the manner in which film and journalism relate. Neither of these books succeeds in doing so, however, and would hardly be worth reviewing here were it not for the importance of the subject matter.

Alex Barris's picture book on the newspaperman in motion pictures is one of those texts apparently intended for merchandising in the Marboro catalogue. The table of contents categorizes the filmic varieties of journalistic experience into the reporter as crime buster, scandalmonger, crusader, foreign correspondent, sob sister, villain, human being, and editor. The text is devoted principally to a listing of

film titles, performers, and plot descriptions. Most of the 211 pages are devoted to publicity photos from the films cited. Happily, these are well reproduced, and if you want to see what Randolph Scott, Errol Flynn, Ronald Reagan, Adolphe Menjou, and Bruce Cabot looked like when they played journalists, this is the book for you.

Lawrence Cohn's book is a great disappointment. It attempts to illustrate twentieth-century history with photographic blow-ups taken from individual frames of Fox Movietone newsreel footage of the last half century. Cohn is said to have had access to the entire Movietone News archive, and many of us expected more in the way of a book than he has given us. There is very little text, and what there is, although well written, adds little or nothing to the history of either the newsreel or the twentieth century that we did not already know. What is left is a picture book, and not an especially attractive one. There seems to

be little system or rationale to Cohn's selection and ordering of photos, and the subject matter, composition, and quality of most of the shots that he has given us is poor.

Motion picture images look fine when projected in rapid succession onto a screen, but they do not look like much blown up, a frame at a time, and reproduced on paper. Motion picture newsreel stocks were usually grainy to begin with and were often pushed in development at the lab. The image area of a motion picture frame is far smaller than that of a 35 millimeter still camera, so that graininess is accentuated and resolution degraded still further when paper prints are made from it. The motion picture camera gives a fixed exposure of about 1/50 of a second, which is not fast enough to stop a good deal of movement in a subject. The blur which results is of no consequence when the film is projected onto a screen at twenty-four frames a second, but is obnoxious when reproduced as a still photograph. Finally, the quality of reproduction that the publisher has given this book is not very good, and many of the already grainy, scratched, poorly composed, and fuzzy photos are further degraded by a grayish, low-contrast printing job. All this adds up to a picture book that's hardly worth space on anyone's coffee table.

RAYMOND FIELDING

Raymond Fielding is professor of communications at Temple University.

Afternoon Story: The History of the New Orleans States-Item

by John Wilds. Louisiana State University Press. 327 pp. \$9.95

There was a wave of newspaper enterprise in the 1870s that gave birth to many U.S. dailies. Consequently, there are a lot of hundredth birthday parties going on across the country these days. And in some newspaper offices they are celebrating by publishing histories of themselves — a practice that in principle we should like to encourage.

At hand is John Wilds's history of the *Item* in New Orleans (founded 1877), which turns out to be a good deal more

than that. The book is really a chronicle of a century of newspapering in New Orleans, and more than thirty daily newspapers cross its pages. Loudly and lustily they come and go. And it will shock no one to realize that the press of New Orleans was longer on passion and prejudice throughout its history than it was on high ethical principle. Duels between editors, fisticuffs, attacks with walking canes were commonplace. One proprietor of the *Item* had accumulated fourteen scars from bullet wounds during his lifetime. The role of the press in inciting an 1891 lynch mob to slay eleven Sicilian immigrants is here chronicled — "the most shameful day New Orleans ever knew," writes Wilds. The incredible snarl of ownership patterns in the New Orleans press — all the way to Newhouse — are unraveled at somewhat wearisome length. And one meets interesting people along the way — Lafcadio Hearn, writer; Dominick O'Malley, publisher; a candidate for employment at \$10 a week (he turned it down) by the name of Huey Long; F. Edward Hebert, city editor; Clayton Fritchey and George Chaplin, editors; and many others. Sometimes Wilds's history seems to have a cast of thousands, and this reviewer had occasional difficulty in keeping the players in their assigned roles. Nevertheless, the book is a valuable record, and there should be more like it as the seventies proceed.

RICHARD T. BAKER

Dateline: White House

by Helen Thomas. Macmillan. 298 pp. \$9.95

Among Those Present: A Reporter's View of Twenty-Five Years in Washington

by Nancy Dickerson. Random House. 238 pp. \$8.95

In the last generation reporters assigned to the White House have occupied a place new in the history of the presidency. They have been in charge of nothing less than the public's perception of the chief executive. Most telling — indeed, telling is their very work — they have kept the president under such

incessant surveillance that if he did feel like an imperial treasure he would have to be only human. And for what have they kept the light on him so bright? Not only to give "the news," but also too often simply to catch his sayings, record his gaffes and discomfitures, and gain personal credit for asking him the "best questions" as formal and informal opportunities have arisen. In the name of "getting the story" and often at the risk of lese majesty they have turned themselves into purveyors of gossip from the royal court. Television especially has enabled them to democratize the Forbidden Apple and to give everybody in the world a bite — instantly.

These two books by reporters who happen to be pioneering women in the field are superb examples of the genre. Helen Thomas of U.P.I., who rose to be the first woman bureau chief at the White House, and Nancy Dickerson, the first woman television correspondent of national standing, showed early that they could hold their own with their male colleagues, not to speak of the public figures — mostly men, too — whose doings official and unofficial it was their task to chronicle. Their careers being parallel, their books cover much the same ground both chronologically (the 1960s and early 1970s) and substantively (the coverage of the administrations of Kennedy, Johnson, Nixon, and Ford). The volumes are full of choice tidbits that will help to give sparkle to future, fuller, more thoughtful writings on the presidency.

The reader of these works hardly becomes aware of any public issues being at large in the country, except for Vietnam and Watergate, which are both skimmed lightly *qua* issues. Still, neither of the books is pretentious (Dickerson's, unlike Thomas's, does not even have an index), and if they have the virtue of being eyewitness accounts, they indubitably are participants' and shapers' accounts as well, which journalists everywhere will want to ponder as such.

HENRY F. GRAFF

Henry F. Graff is professor of history at Columbia University.

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UNFINISHED BUSINESS

For better or worse

TO THE REVIEW:

Ben Bagdikian's thesis ["Newspaper Mergers — the Final Phase," *CJR*, March/April] isn't anything new. Morris Ernst wrote the book on the subject in 1946. Nor is he the first to decry the loss of independent papers. Bryce Rucker, updating Ernst's *The First Freedom* ten years ago, wrote bitterly of the threat chains posed to that freedom.

Bagdikian, Ernst, and Rucker have something else in common — none musters much evidence that the growth of chains is really harming American journalism. There is, in fact, a good deal of evidence that seems pertinent.

Take the Times Mirror Company, "the biggest newspaper-based conglomerate." Two of those newspapers are among the ten best in the country. The third, the *Dallas Times Herald*, was one of the worst. Since it fell into the clutches of the conglomerate, it has undergone a complete housecleaning of top editorial management, has invested heavily in upgrading, and is well on the road to respectability.

Take Knight-Ridder. Since the merger, there has been a steady flow of editorial talent from the generally very good Knight papers to the generally very bad Ridder papers. (Knight, you'll recall, gobbled up the independent *Philadelphia Inquirer* a few years ago and has turned a national disgrace into a distinguished paper.)

Take the hungriest of them all, Gannett. Among those seventy-three papers, there is bound to be a good deal of mediocrity. But the attainment of mediocrity, in many cases, represents distinct improvement. Some of the seventy-three have left mediocrity behind.

Even the dread Newhouse, who doesn't own a single first-class paper, hasn't made bad papers of good ones. His bad papers were always bad. The *St. Louis Globe-Democrat* used to be much worse than it is now.

I don't want to argue that bigger is necessarily better, merely that it isn't — in newspapers, at least — necessarily worse. John S. Knight used to proclaim that good journalism is profitable journalism and vice versa.

Maybe the chain builders were listening. Let's hope so.

GEORGE KENNEDY
Columbia, Mo.

TO THE REVIEW:

Momentarily, I expect to read that Sam Newhouse has bought Columbia University for his wife's birthday and simultaneously fired Ben Bagdikian.

Seriously, a fine but frightening article.

L. MAX COX
Kansas City, Mo.

The power and the story

TO THE REVIEW:

As an ex-reporter, I can easily understand why newspapers outside the T.V.A. area would let their anti-nuclear biases guide reporting on the Browns Ferry incident. For the same reason, I can understand why the papers close to the scene understand and support nuclear technology.

But the quotation on your "Contents" page prevents me from understanding why you would use Deborah Shapley's March/April harangue against the T.V.A.-area papers ["Reporting on Nuclear Power: the Tennessee Valley Case"]. It would seem from the nuclear safety record in this country and the rest of the world that she should have been investigating the "bad press" nuclear power has been given since its inception. How many safe operating years must be racked up like McDonald's hamburgers before everyone relaxes and enjoys the benefits? Shapley's gusto over biased sources like the Union of Concerned Scientists and the Council on Economic Priorities belies her pretended interest in "getting the story."

Though I've read some fine, insightful articles on nuclear power in papers like *The Oak Ridger* on matters wholly ignored by the national media, she has the gall to declare that "within the Tennessee Valley region . . . information . . . has been, and remains, exceedingly hard to come by."

It's writing like that which makes me relieved to be out of the journalism business.

ROBERT A. COMPTON
Lenhartsville, Pa.

TO THE REVIEW:

In refutation of the obviously biased article by Deborah Shapley:

□ Valley news media did accept T.V.A. versions of the fire at the Browns Ferry plant just as we did releases from the F.P.A., F.E.A., and E.P.A. We assume Ms. Shapley gathered her own material from personal access to this highly guarded, classified area. □ The seven-and-a-half hours of fire "dangerously out of control" without environmental damage seems to justify the protective system rather than its inadequacy, as Ms. Shapley wrote.

□ Long before the fire, this newspaper published reports of dangers of nuclear power by scientists of Union of Concerned Scientists calibre. However, unlike Ms. Shapley, we also published the "Manifesto of Scientists" at Oak Ridge, which refuted all but a few of their claims.

□ We never received any report from T.V.A. that it was not responsible for the Browns Ferry fire. In fact, they told exactly how it happened, later confirmed by other federal agencies, and announced the steps taken to assure it not happening again.

□ We may, in the valley, be on our way "back to the candle" as Ms. Shapley suggests but it has not been too long since T.V.A. brought us out of that age and most of us can fall back on old practices much easier than can Ms. Shapley in her ivory tower.

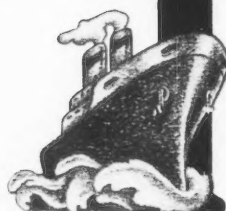
□ Browns Ferry has shattered power production records since the fire and this helped the nation recover from a bitter winter at a fantastically low cost ratio. You might follow this up with the F.E.A. and also confirm the cost of actions by F.P.A. against T.V.A. and what using coal will do for power costs in the T.V.A. valley.

TUTT S. BRADFORD
Publisher, *Maryville-Alcoa Daily Times*
Maryville, Tenn.

TO THE REVIEW:

Deborah Shapley in her article in the March/April issue reminds me of a description once given about a reporter: She didn't let the facts stand in the way of her story.

A little knowledge can be a dangerous thing. Going into an investigation with a pre-

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conceived opinion and looking only for facts to substantiate it smacks of the type of journalism that CJR once deplored. Now CJR honors such endeavors by printing them.

The demands on space are too great to allow a point-by-point analysis of her violation of journalistic principles, how she cited only anti-nuclear power groups, how she took notes or remembered only certain parts of stories, how she failed to report the why in many instances. One-sided reporting has been revived and in — of all places — CJR. For shame.

CHARLES H. "TOM" SWEETEN
The Knoxville Journal

Deborah Shapley replies: *I doubt that I am "obviously biased" or guilty of a "harangue" because I held the Tennessee Valley press up to the standards of reporting on the nuclear power controversy already established elsewhere in the country.*

For the record, I read extensively through the coverage of The Knoxville Journal (circulation 59,300) of T.V.A.'s \$10 billion nuclear power building program and the Browns Ferry fire. I also discussed the

coverage with many people, including the paper's editor and its T.V.A. reporter. The conclusion that the Journal has neglected the negative aspects of nuclear power is widely shared and hardly original with me.

As for the Maryville-Alcoa paper (circulation 17,500), I read through some of its coverage but saw no reason to single it out for mention in the CJR article. The letter from the Maryville-Alcoa paper is misleading on other counts. T.V.A. never denied responsibility for the March 1975 Browns Ferry fire; the issue was how the T.V.A. and the federal regulatory authorities could have allowed the circumstances which led to the fire to arise in the first place, and afterwards how the damage should be repaired.

I never suggested that the valley is on the way "back to the candle" era. As for the fire "justifying" Browns Ferry's protective system, this is questionable; one reactor remained unstable for hours because its emergency core shut-down system failed.

The "record" supposedly "shattered" by Browns Ferry occurred in January when the third reactor went to full power, and the station achieved its plan of being the largest

nuclear generating plant in the world. By the more meaningful index of capacity-factor, Browns Ferry has had some excellent performance months, and some average ones, since resuming operation.

I hope a vigilant valley press, alerted to the hazards of nuclear power by the Browns Ferry incident, will create a climate in which T.V.A. will do its utmost to assure that the Browns Ferry reactors, and the fourteen others T.V.A. plans to bring on line, will operate reliably and safely.

The whole truth

TO THE REVIEW:

T. Gerald Delaney's piece in the March/April CJR ["The Human Impact of Cancer News Stories"] fails to note one significant factor in the coverage of Hubert Humphrey's cancer surgery: at the time it occurred, he was seeking election to a six-year term in the U.S. Senate.

The editors of the Minneapolis Tribune, the principal newspaper in the state in which Humphrey was running for reelection, believed that his candidacy imposed upon them an extra obligation to report as fully and responsibly as possible the prognosis in his case. To do otherwise would have been to ignore our obligation as a newspaper. Perhaps another "36-point caveat" — to use Mr. Delaney's phrase — is that those seeking public office must recognize they are no longer private people, at least when the subject is the likelihood of their being able to serve out a term of office.

None of this is intended to suggest that those handling the Humphrey story had anything less than respect and, in many cases, affection for an old friend and a fine public official. But he was running for reelection.

CHARLES W. BAILEY
Editor, Minneapolis Tribune

Encounter austria

I saw myself in "The Sound of Music"

The mountains wait like players in a grand orchestra... the 900-year old fortress stands like an austere conductor... music rises from Salzburg like a mist. And I discover that the true sound of music can sometimes be heard in silence. This lovely city where Mozart was born, where Europe's best artists came at the call of the Prince Archbishops, shows me her gracious secrets. And then I go to the Lake District.

I stand in a cave of ice at Werfen and ride the funicular to the mines at Hallein. Then to the Tauern mountains and Krimml, Europe's highest waterfall. I became the sound of music... the music is me! Come to the music... Encounter Austria to know the heart of Europe.



I would like to Encounter Austria.

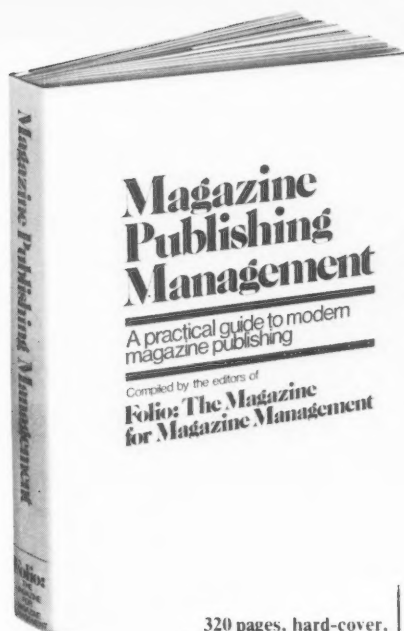
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T. Gerald Delaney replies: *Agreed that newspapers should report the truth about a person's capacity to hold high office. But what is the truth about a person who has cancer? My point is not to suggest merciful suppression of information but to say that only by humanizing and qualifying the starkness of statistical information can the full truth be told. The irreducible fact in prognosis is uncertainty.*

TO THE REVIEW:

T. Gerald Delaney raises some important questions for journalists, but I am not sure that they are necessarily the issues that the author wishes to emphasize.



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Delaney writes: "The profession has long decreed that prognosis will be an exclusively private affair, between doctor and patient. . . ." And: "Doctors make floral arrangements with the facts, not only because it is easier to tell patients good news, but because there is a larger truth in the entirety of the arrangement, in the logic of the whole bouquet." Unsympathetic translation: Only the patient is entitled to know the probable result of an operation, and many doctors won't tell even him. Delaney focuses on the narrow issue, which is whether the medical

profession is justified in sweetening an ambiguous and painful truth in dealing with the individual patient. But some broader issues are involved.

Organized medicine inevitably allocates limited resources among diseases, among specialties, and among social classes, whether or not it likes to acknowledge doing so. Patients, their families, and their doctors inevitably face decisions that weigh some added months in the patient's life against sacrifices in the educational and financial prospects of other family members. Such

decisions may be ugly to contemplate, but they get made. "Affirming the singularity of individual destiny" means the public should avert its eyes.

In an era of cutbacks in social services, when hospitals that serve the poor are being closed or consolidated to save tax dollars, the statistical outcomes of expensive medical procedures should be a matter for the closest possible scrutiny. Can we afford surgical and therapeutic procedures that offer comfort to the patient and his family — but little chance for recovery? Does offering such procedures

Natural gas: a provincial outlook

Roger Morris's article in the March/April 1976 Review, "Whatever Happened to the Natural Gas Crisis?", discussed the press's handling of the complexities of energy-resource management. Developments during this past winter prompted these further observations.

In Texas and Louisiana — the two states that produce most of the nation's natural gas, and where the industry wields political power that matches its economic weight — coverage of this winter's gas crisis often took on a narrow, parochial tone. A certain amount of parochialism was to be expected, but in this case it seemed excessive. At the height of the emergency, from mid-January through the first two weeks of February, two major and representative newspapers in the area, *The Houston Chronicle* and the *New Orleans Times-Picayune*, frequently approached the natural-gas issue with reports that tended to obscure the human distress in other parts of the country, and with an angle of vision that brought both papers to the boundary of local boosterism.

On January 19, for example, the *Chronicle* headlined GAS SHORTAGES, COLD SHUT DOWN BUSINESS OVER MUCH OF THE NATION. But the story beneath was a sketchy A.P. dispatch that conveyed little of the hardship the shortages meant to most of the states of the Midwest and Northeast. Throughout the crisis most stories on the cold wave and gas shortages in both the *Chronicle* and the *Times-Picayune* would be that sort of basic wire-service report, despite the fact that both papers had competent bureaus on the scene. An important January 19 article — remarks by a Texas railroad commissioner on new production demands, fresh profit opportunities for the industry, and, not least, an unexplained "loss" of some 84 billion cubic feet of natural gas (worth \$115 million) — was unaccountably exiled to a corner of page

6. The next day, as the crisis worsened over much of the country, the *Chronicle* ran a story on the views of a local gas-industry official on the faults of government regulation, a worn and tendentious argument presented by the paper as straight news without explanation or analysis. On January 25 and 26, again while millions in the Northeast faced the specter of cold homes, the *Chronicle's* headline blared the prospect of price decontrol and greater profits for producers.

When Houston readers finally were given an analysis of this complex problem, on January 26, it was in yet another wire-service story, despite the *Chronicle's* unique staff of oil and gas writers. For the following two days the *Chronicle* continued its superficial coverage of the mounting emergency in the East, and on January 29 climaxed aptly enough with front-page photos of a New York blizzard and the sun-drenched campus of the University of Houston. The accompanying articles described the emergency natural-gas bill and highlighted the objections of the Texas congressional delegation and the gas industry, who argued that crisis diversions of gas to the shivering East might injure local industries and in any case would be done without longer term decontrol of prices.

Worry over local business interests was also the heart of the emergency for the *Times-Picayune* in New Orleans. Louisiana is the country's second-largest gas producer, with some 80 percent of the state's industry (compared to 12 percent in New York) dependent on natural gas. During the first week in February, the *Times-Picayune* saw both national and local issues with a provincialism similar to that of the profit-conscious Texans next door. On February 1 the paper did carry on the front page a major A.P. story on the seventy-five deaths caused by the cold wave, and its editorial page ran a syndicated column by Jack Cloherty and Bob Owens that

touched briefly on the gas industry's practice of deliberately withholding gas supplies and exploration in an effort to "milk" the shortage. But the next day, headlining that the legislative impasse in Washington had been broken, the paper was back where it had been for most of the crisis — concentrating on the local pinch of the 10 percent of Louisiana businesses using interstate gas that might be diverted to homes in the East. Louisiana Governor Edwin Edwards was quoted as saying that the state "had its obligations" to human needs elsewhere, but that point came only at the tail of a story at the bottom of page 4. For the next three days, the *Times-Picayune* headlined wire-service reports of the emergency, but focused its own detailed coverage on the possible higher prices and the shortages to Louisiana industrial users — prospective perils that, of course, had long since become real for millions of laid-off workers and furloughed schoolchildren in the Northeast. When the *Times-Picayune* declared itself editorially on February 5, it continued to ignore both the national dimensions of the crisis and the complexities of the issue, concentrating instead on what would prove to be a phantom issue — the diversion of some of Louisiana's intrastate gas normally shipped on interstate pipelines. In fact, the paper's editorial page that day was devoted almost entirely to the natural-gas issue, but a *Los Angeles Times* syndicated column by William Hines and another by Patrick Buchanan represented little more than the industry's side of the controversy. After nearly a month of the natural-gas crisis, New Orleans readers were no nearer an appreciation of the danger many of their countrymen had faced nor of the issues that remained unresolved in Washington, issues that affected both producing areas like the Gulf Coast, and the hard-hit consuming regions in much of the rest of the nation.

ROGER MORRIS

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to affluent patients reduce the medical resources available to curable patients who are on Medicaid or one economic rung above it?

Perhaps Sloan-Kettering's Delaney is right in suggesting that the press has been unnecessarily cruel in writing about Senator Humphrey's survival prospects. But lack of candor about medical outcomes in individual cases seems to me symptomatic of a broader failing, for which our society is probably paying a very high price.

PAUL SCHAFFER
New York

TO THE REVIEW:

I was intrigued with T. Gerald Delaney's "The Human Impact of Cancer News Stories." If he is correct in assuming that the impact of statistics is counterproductive to the cancer patient (as I personally believe), then perhaps journalists are doing a double disservice by reporting the proverbial "odds" of recovery for public figures affected by the disease. While such tragically objectified accounts may encourage some readers to seek medical attention during the early stages of the disease (a dubious point that certainly deserves investigation), I have to wonder if the press is merely reinforcing the tendency of the medical community to mask the uncertainty of cancer prognosis behind the seemingly astute statistical figures derived from group analysis and not from the facts of the individual case. Having seen and heard such "news" from the bedside of one of my family members, I can tell you that such reporting — be it from the doctor or the journalist — can be shattering, if not dehumanizing. Perhaps we cannot expect to eradicate the tragic elements of reporting cancer "news," but certainly, we can look for more humane ways of putting such news across.

CAROL J. JABLONSKI
West Lafayette, Ind.

Violent reaction

TO THE REVIEW:

Franz J. Ingelfinger's ill-tempered little review of the NBC News program, "Violence In America" ["One Huge Apologia for Violence?" *CJR*, March/April] displays two rampant fallacies.

First, whatever one doesn't like is obviously the result of some conspiracy. There is no need to adduce evidence of conspiracy, only of dislike. For example, Ingelfinger writes: "Why should NBC feel impelled to mount an elaborate justification for displaying violence-ridden spectacles, a justification that must have been expensive (but also well supported in view of the usual heavy dosing

of spot commercials that punctuated the three-hour show)?"

Second, television programs are to be criticized for what they leave out.

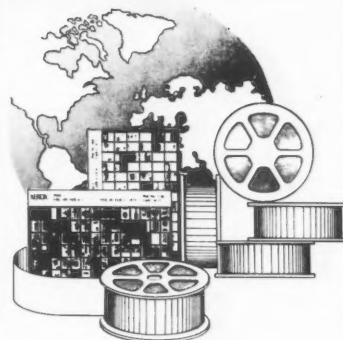
If Dr. Ingelfinger had written a letter to the editor, his fallacies would be only his fallacies. He wrote an article in your magazine, and these are both fallacies that editors of journalism reviews are supposed to know about, and, presumably, to edit.

An editor in the journalism business should know, for example, that news departments within a television company are always fighting everybody else for time for something they think they ought to be doing. Sometimes they get it, and sometimes they don't. In this case, since for better or for worse NBC News is committed to occasional programs three hours in length, the people who run it had been pressing for such a program for some years and had worn down the opposition. As for the well-supportedness of the undertaking, did it occur to any editor to inquire whether those commercial spots went at the regular rate or some bargain rate which added up to a fraction of the total cost? Doctors are not supposed to know how television works; you are. (I don't know whether it was true in this case, but it has often occurred to various executives of the company, not all of whom are no longer here, that the network would benefit by not offering one of the three-hour programs for sponsorship. It would thus not be rated by Nielsen, who rates only sponsored programs. That way, the usual small audience would not drag down the network's ratings for the week, and, perhaps, its income for the year.)

One last word about the sentence I quoted: How can a well-edited sentence have that many targets?

As for the second fallacy, any existing situation, any subject for journalism, has some root or other which goes back to the Descent of Man. All reporting is incomplete. In fact, "complete" and "definitive" are useless words in our trade. Their meaning is relative, but their texture is absolute. From a thirty-second bulletin to a three-hour report, no piece of television journalism is immune from someone claiming foul by omission. Dr. Ingelfinger's criticism is that NBC News did not do a program on violence on television, not that it did do a program on violence in America which refused to ignore violence on television.

The rest is a sociological jumble about TV violence of little conceivable use to anybody, ending thus: "Such efforts [to restrict violence on television] are opposed as interfering with the right to free speech, but society can and does draw lines." They are, in fact,



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opposed as interfering with the right to free press, and that specter will remain with us. (The distinction should matter to journalism review editors.) As for the lines society can draw, he cites in wildly over-optimistic terms the controls on recombinant DNA. The most venal television panjandrum would accept immediately rules no stronger or more effective than those which exist on the scientific or commercial use of recombinant DNA. One hopes that the real problem of violence on television — as opposed to Dr. Ingelfinger's pained memory of an NBC News program about doctors some years back — will receive more useful and constructive attention than that.

I suppose it is incumbent upon me to declare my own interest. I was an officer of NBC News until four and a half years ago. I am now an employee, responsible to its officers for my work. This letter represents no opinion but my own and has been read, edited, or cleared by no one. I had nothing to do with the program on violence. When I was still an executive, the idea was broached to me. I thought it was a dumb idea. I thought it was a dumb idea because it was a no-win situation.

Quod erat demonstrandum.

REUVEN FRANK
Senior executive producer
NBC News

Back talk

TO THE REVIEW:

I say, chaps, dirty pool. You attack, in the January/February issue, the creation of prizes offered by the American Chiropractic Association for meritorious reporting on health, the purpose of the prizes being "to stimulate journalists to be free-thinkers, not bound by traditional, social or political pressures." We're damned if we do and damned if we don't. We chiropractors haven't exactly "fought the medical and scientific establishment for more than eighty years." That statement is an insidious attack on us by equating the "medical establishment" with the "scientific establishment." Well, in a way, I guess we have fought the medical establishment in the same sense that you could say Vietnam fought the U.S.A.

The anti-chiropractic *Consumer Reports* articles have already been discredited. For evidence on chiropractic, guess where C.U. went? That's right, to the "medical establishment." And guess what they thought of

chiropractic?

According to your line of reasoning, if the American Chiropractic Association is actually going to control and have pro-chiropractic articles written because of the \$200 prizes, then are we not justified in thinking that your anti-chiropractic article was inspired by the two full-page drug ads in that same issue, one facing your article?

ALLEN CAPLAN, D.C.
Rio Piedras, P.R.

Confirmations

A reader, Roy Traband of Albuquerque, questions the *Review's* commendation of WETA in Washington, D.C. for its coverage of the Senate confirmation hearings on the Carter cabinet nominees ("Darts and Laurels," March/April). Conceding that the concept was good in principle, Traband points out that the hearings were not covered in their entirety, and suggests that in fact the public television station brought coverage to an arbitrary halt in order to eliminate from sound and view "those opinions antithetical to the professional dove Warnke." "If that wasn't the reason," our correspondent asks, "what was it?" According to Ward Chamberlin, WETA president, it was all a matter of simple economics. "We covered the first full day of the Warnke hearings during which all senators had a full opportunity to question Mr. Warnke," Chamberlin explained. "We just plain ran out of money. It costs us about \$20,000 a day and public television's parlous financing doesn't permit us to do half the things we'd like to do, but there certainly was no censorship."

Considering alternatives

At the time the *Review* published in its November/December 1976 issue "The San Francisco Bay Guardian Blues," a report by Roger Williams on the labor-management woes at the liberal West Coast alternative weekly, a bitter strike that had begun in June was at an impasse, and the paper's first-time contract with The Newspaper Guild and the International Typographers Union — a contract which, representing a successful organization of an alternative newspaper, would have been a union first as well — had yet to be negotiated. As it turned out, it never was. While some issues had been more or less readily settled, the ultimate point of dis-

agreement, turning on the use of free-lance writers, was one that resisted consensus. After the year required by federal rules had elapsed, employees who had continued throughout the strike to put out the paper held another representation election. The February 14 vote — boycotted by strikers — was 33-0; the unions were decertified, and the eight-month strike was over. "This doesn't necessarily mean there will never be a place for established unions in alternative newspapers," said the *Guardian* in its March 3 eight-page wrap-up. "But for now it does suggest that if the A.F.L.-C.I.O. unions want a place at alternative papers . . . they've got to . . . come up with alternative contract proposals that fit the character and market position of the enterprise. Otherwise, they'll either bust the paper or bust themselves." Disillusioned strikers, meanwhile, were offering an alternative analysis: "The only things the decertification vote proves," read an unsigned communique published in the *Guardian's* wrap-up, "are that the scabs . . . who took our jobs helped [editor and publisher Bruce] Brugmann bust our union, and that the National Labor Relations Act as it is now written serves to frustrate and defeat workers' efforts to organize for better working conditions."

Words from sponsors

Concerning Terry Ann Knopf's article on plugola ("What the Talk Shows Don't Talk About," *CJR*, January/February), N. Alstedter, northeast public relations manager for Shell Oil Company, complains that the article did not make a sufficient distinction between "secretive plugola" and "openly identified public service information." Alstedter points out that the Shell representative in her appearances is always identified as such, and that it is therefore incorrect to assign her work to the former category; moreover, he says, rather than plugging products, the Shell representative offers useful information about energy. On the same subject, a letter from Al Reyes, a news reporter for KFSN-TV in Fresno, California, who describes himself as "a veteran of interviews with the raisin lady, the Shell lady, and Miss Cotton," urges that "every reporter be required to take a crash course in public relations lest they be led over the cliff time and time again."

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NATIONAL NEWS COUNCIL REPORT

Statement on terrorism and the media

The National News Council has considered the question of news coverage of terrorist action — and the controversy which has arisen about the appropriate limits of such coverage.

At the threshold, the Council rejects as unthinkable any notion that such activities should not be reported because they are perceived as "contagious." The dangers of suppression should be self-evident: doubts over what the media have withheld and the motives for such a blackout; questions about other types of news which might also have been withheld ostensibly in the public interest; and the greater possible risks involved in wild and reckless rumors and exaggerated, provocative word-of-mouth reports.

Nevertheless, the Council suggests that each news organization consider certain self-restraints in specific areas and in specific cases. First, the Council urges a reexamination on a case-by-case basis of the dangers in the practice of live coverage which precludes full context or judicious editing.

Second, the Council asks all news media to consider the dangers in the practice of telephoning for interviews with terrorists or hostages during the event. Such telephone interviews can tie up telephone communication between negotiators and terrorists, and can incite the terrorists to ultimate violence. The Council therefore urges appropriate discussion with authorities before any such calls are made either by electronic or print media reporters.

Some news organizations already are de-

The National News Council held a meeting in Des Moines, Iowa, on March 21 and 22, responding to an invitation by Drake University to meet on the campus. The meeting was attended by students, faculty, and the general public. This National News Council Report covers the Council's actions taken at that meeting.

veloping internal guidelines to deal with such situations. The Council offers to become a repository for such guidelines or internal memoranda and to circulate them to all interested news organizations. (March 22, 1977)

Jack Anderson's 'half-hearted' retraction posed problems for editors

Nature of complaint (filed January 20, 1977): The Nicaragua Government Information Service, through its director, Ian R. MacKenzie, complained that syndicated columnist Jack Anderson (United Feature Syndicate) and a number of his client newspapers acted unfairly in the manner in which they treated a retraction of an allegation published in a column by Mr. Anderson. Mr. MacKenzie referred specifically to a column by Mr. Anderson dated August 22, 1975, pertaining to the earthquake which devastated Managua, Nicaragua's capital city, in December, 1972. In the column, Mr. Anderson stated:

For the impoverished populace, it was the worst natural disaster of the century. But for dictator Anastasio Somoza, the earthquake offered another opportunity to stuff his pockets. It was his most bounteous Christmas.

The great destruction, it's true, didn't spare hundreds of properties owned by the Somoza family. Many of them were in the name of the dictator's mother, Mrs. Salvadora de Somoza. But Somoza quickly recouped the family losses by ordering the National Insurance Company to pay off his mother before any other clients.

Mr. MacKenzie declared that following publication of this allegation "the Compania

Nacional de Seguros (National Insurance Company) of Nicaragua, through its attorneys, submitted to Mr. Anderson comprehensive and detailed evidence based on actual records which unequivocally disproved his allegation." Mr. MacKenzie further declared that despite this evidence, "Mr. Anderson continued to avoid publishing a retraction until formal representations and promises of a legal action were made by the Compania Nacional de Seguros through their New York lawyers. Finally, more than a year after the allegation was made by Mr. Anderson, a retraction was published in *The Washington Post* on Saturday [Mr. MacKenzie's emphasis], September 11, 1976, and in some newspapers syndicated his column on or after this date."

The retraction, as published in *The Washington Post*, read as follows:

Wrong Figures — We have written a host of stories about Anastasio Somoza, the Nicaraguan strongman, who has turned Nicaragua into a Somoza family estate.

We have checked our facts carefully with both Nicaraguan and American sources. We have relied heavily on documentation in secret U.S. government files. But in all that we have written about Somoza, we think we committed one error, and we want to correct the record.

We reported that Somoza had profited from the 1972 earthquake that leveled his capital city of Managua. Shortly after the disaster, he and his henchmen bought up land at a cheap price and sold it back to his government for housing projects at 10 times what they had paid.

He also used cement produced by his own firm for reconstruction work. His son supervised the dispensation of relief supplies, much of which wound up on the black market. We stand by all these charges.

But we also reported, based upon intelligence reports, that Somoza quickly recouped his own family losses by "ordering the National Insurance Company to pay off his mother . . . before any other clients" for buildings that had been destroyed.

After interviewing U.S. government sources and perusing documents supplied by the insurance company itself, we are convinced that the intelligence reports were wrong and that the firm did not pay Mrs. Somoza first.

Of 585 claims, Mrs. Somoza was number 243 to file and number 107 to be paid. She received her \$298,071.43 payment 64 days after she filed her claim.

Following circulation by United Feature Syndicate of the Anderson column containing the retraction, the Nicaragua Government Information Service, according to Mr. MacKenzie, attempted to obtain from the syndicate a list of newspapers which publish Mr. Anderson's column. This was done in order to determine which newspapers had published the retraction. The syndicate refused to provide the list, "making it necessary," according to Mr. MacKenzie, "to painstakingly research the facts in a direct newspaper by newspaper basis."

Mr. MacKenzie declared that the Nicaragua Government Information Service, over a period of time, had been able, through a newspaper clipping service, to compile a list of approximately 560 newspapers that subscribed to the Anderson column. "We rec-

'More than one editor offered the comment that the correction was misleading'

ognized that the list was incomplete," he said, "but we sent a circular letter to each of those papers, enclosing a return address envelope with stamps, and asked that they send us a clip of the Anderson column that included the retraction. Replies were received from approximately 387 of the papers. Many said they had not published any of that particular column. This process took two months."

Mr. MacKenzie said the replies showed that 232 papers published the basic Anderson column that appeared in *The Washington Post*. Of these, forty-seven had not carried that portion of the column containing the retraction. "Five other newspapers," he said, "published an incomplete, truncated or mutilated version of the Anderson column containing the retraction which totally destroyed its meaning and therefore its value as a retraction." Accompanying the complaint were copies of the column as published in the five newspapers cited above. One of these papers published only the following:

Wrong Figures: We have written a host of stories about Anastasio Somoza, the Nicaraguan Strongman, who has turned Nicaragua virtually into a Somoza family estate.

We have checked our facts carefully with both Nicaraguan and American sources.

Another published the same as above, but added:

... We have relied heavily on documentation in secret U.S. government files. But in all that we

have written about Somoza, we think we committed one error, and we want to correct the record.

Another added two more paragraphs, ending with the words:

... We stand by these charges.

Omitted were the paragraphs containing the retraction. Another omitted four paragraphs, including those with the retraction. And another omitted two, with no retraction.

Mr. MacKenzie then submitted the following to the Council:

□ Newspapers which syndicate a column and particularly those which publish an offending allegation, share equally the responsibility for publishing the retraction once the author has formally recognized his error.

□ Mr. Anderson by equivocating and emphasizing old charges as a preamble to his retraction ("We stand by all these charges"), unfairly preconditioned editors that the retraction had little merit.

□ Those newspapers which mutilated the retraction or only published Mr. Anderson's own explanation and not the actual retraction, unfairly compounded the hurt done to the offended parties involved.

□ Those newspapers which dropped the retraction, especially those which had published the offending allegation, unfairly denied just redress to the offended parties.

In summing up his complaint, Mr. MacKenzie declared:

We submit that columnists and writers that avoid giving a straightforward and unequivocal retraction, and newspapers which fail to publish or which mutilate a retraction, however unwittingly, so that its effect compounds the hurt caused by the original offending allegation, deprive a public person of the only redress available to him from charges which can be made against him with impunity by virtue of the free press.

Response of news organizations: On February 11, 1977, the Council wrote letters to the editors of the forty-seven newspapers listed by the Nicaragua Government Information Service as having published the column by Mr. Anderson that contained the retraction, but that were listed as not publishing the retraction. Letters also were sent to the editors of the five newspapers that, according to the Information Service, ran "incomplete, truncated or mutilated" versions of the column containing the retraction.

In these letters, the Council declared that it was certain that "you will give us your best counsel regarding this problem that all of us have been faced with over the years; the problem of retractions catching up with errors ..."

On February 25, 1977, the Council wrote to Mr. Anderson, pointing out that it recognized that "this is a matter over which you have no control," but also stating that "more

than one editor has offered the comment that the correction was misleading; that it was interpreted as a reiteration of the charges and so it was not carried." The complete Nicaragua Government Information Service complaint was enclosed, and a response was invited.

On the same date (February 25) a letter was sent to United Feature Syndicate, also enclosing the complete complaint, inviting comment on the "various nuances involved."

Thus far, no response has been received by the Council from Mr. Anderson or United Feature Syndicate.

Responses have been received from twenty-one of the fifty-two newspapers addressed in the Council's February 11 letter. The twenty-one replies break down as follows:

□ Eight declared that they had not published the original allegation, and therefore were under no obligation to publish the retraction.

□ Six published the original but not the retraction.

□ Two published the original, and also the retraction, with the latter appearing within one and two days after the column's release date.

□ One published the original "in three sentences" and therefore did not feel compelled to publish the retraction.

□ Two published the original and, following receipt of the Council's letter of inquiry, published the retraction in full.

□ One published the original but had published the retraction in an incomplete form.

□ One published the original, had published the retraction in an incomplete form, but published the retraction in full following receipt of the Council's letter of inquiry.

Almost unanimously, editors responding to the Council stated that it is their newspapers' policy to publish retractions and corrections as soon as possible after they are called to their attention or discovered by the editors.

Comments from the respondents included the following:

On the general problem of corrections catching up with errors, I have a couple of suggestions.

First, columnists should not hide their corrections. A busy editor could fly right past Anderson's correction without recognizing it. Most readers, I suspect, would not know it was a correction. The ... has adopted a policy of publishing corrections on the front page of the section in which they occurred. Columnists at least should circulate their corrections in a form that is quickly and easily recognized.

Syndicates also have a responsibility to correct their circulated errors. The Nicaragua Service says it was unable to obtain a list of Anderson's clients. Did it request that United Feature Syndicate circulate Somoza's reply? I know that it is done by some syndicates. If that is not a policy of UFS, then it should be encouraged to adopt it.

The extra effort to pursue corrections is difficult, but I am convinced that it pays off in

NATIONAL NEWS COUNCIL REPORT

earned credibility. I hope the syndicates can be persuaded of it, too.

... It was the judgment of our editorial page editor that a 13-month-late, half-hearted correction of three sentences we had run that long ago simply did not warrant use. This was especially true with a mail-delayed column that simply had to be cut because of space problems that day. I still feel the editorial page editor made the only practical judgment, but it was not totally in line with our standard practice in such matters.

When more than a year passes between error and correction it is indeed difficult to keep the record straight. It is even more difficult when the error and correction is supplied to us by a syndicated columnist.

... In hindsight, we should have been more careful. A prod from Anderson's syndicate would also have seemed to be in order. ... the inquiry ... will serve to prod us into continually retuning the alarm of responsibility on our desks.

... the space allotted in the Saturday paper for the Anderson column is less than other days of the week.

The articles in the Anderson column which are subheaded with caps are used by this newspaper and by many others as space permits, and they are not scheduled by Anderson or by this newspaper

for any particular day.

... Our managing editor ... retired Wednesday ... and is enroute to Tahiti ... My best guess is that he edited the column for length and either did not notice that the part dropped was a correction of an earlier column or intended it to be published later but failed to follow through on that.

I can tell you absolutely that it is our policy to publish corrections ...

Since we have a policy of running every such retraction, I can only assume that the item was eliminated in the composing room.

Ordinarily, we prefer to run corrections or retractions as soon as possible after the original item appeared. For some reason, the August 22, 1975, item to which you refer was not retracted until more than a year had elapsed.

We think it is only fair and relevant to point out here that it is our constant policy to publish not only corrections and retractions, when we have published the error, but to make sure space is available for opposing views. Enclosed you will find the "OpEd" page ... for September 13, 1975 totally devoted to letters, and led with the exceptionally long letter of the Nicaraguan ambassador relative to the Anderson columns.

It would be interesting to determine how many other papers using the Anderson copy used that and other letters, which are far more important than the half-baked Anderson "retraction."

... a period during which we ran exceedingly tight papers with some advertising on the editorial page. For this reason we frequently cut the Anderson column, using only the lead item. The elimination of the "follow" which contained the retraction undoubtedly was done mechanically, without regard to content.

Our policy is to correct errors. ...

We both share your concern for accuracy and the need for clarification of errors. This is a particular concern in respect to the Jack Anderson column. At present we are seriously considering dropping the column because of its credibility.

Conclusion of the Council: The Nicaragua Government Information Service has brought before the Council three issues:

- ☐ The handling of the retraction by Mr. Anderson.
- ☐ The failure of many newspapers that published the original charge to publish the retraction, and the number that published the retraction in mutilated form.
- ☐ The failure of the syndicate to "flag," to call attention to, a retraction.

Based on the statements of several editors that the retraction was written in a "half-hearted" and confusing manner, and also upon its own examination of the retraction segment, the Council finds that Mr. Anderson mishandled the retraction on three grounds. First, a retraction should be clearly

stated — not presented in such a fashion that, for example, one editor can state his suspicion that most of his readers "would not know it was a correction." Second, by so presenting the retraction, Mr. Anderson may have contributed to the failure of several newspapers to carry it; in the words of the complainant, Mr. Anderson "unfairly pre-conditioned editors that the retraction had little merit." Third, the Council agrees that the passage of thirteen months between publication of the charge and the release for publication of the retraction was much too long, in light of the obvious desirability of prompt acknowledgement of error.

The response of editors to the Council's inquiry indicates that newspapers generally are making honest efforts to provide redress when errors are committed. In its Code of

'Above all,
responsible journalism
demands
correction of error'

Ethics, The Society of Professional Journalists, Sigma Delta Chi, declares: "It is the duty of news media to make prompt and complete correction of their errors."

This episode reveals sufficient neglect in the editing process for the Council strongly to remind editors of the necessity of maintaining a firm patrol over the issue of corrections and retractions. But, for the reasons stated in this opinion, the onus for the failure must fall on Mr. Anderson and United Feature Syndicate.

The syndicate in this case appears to have disregarded a resolution adopted by the National Conference of Editorial Writers in October, 1974, when it said syndicates should provide mailing lists on request and/or distribute replies by targets of syndicated criticism.

We applaud the efforts of the N.C.E.W. in this area, with particular note of the recent announcement of the formation of an ad hoc committee of journalism organizations to work with syndicates toward their "voluntary adoption" of a code of standards as to the distribution of replies from groups and individuals criticized in syndicated material.

Above all, responsible journalism demands correction of error. Therefore, syndicates should adopt a firm policy of calling editors' attention to corrections or retractions so that a proper use of editorial judgment may be employed by subscribing newspapers. The syndicate here erroneously

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failed to "flag" the correction.

The decisions of Mr. Anderson and United Feature Syndicate not to offer any comment leave the Council with a record that spells out inordinate delay in dealing with a protest, a retraction that was confusing and half-hearted, and a clear failure by the syndicate to provide editors with any signal of a correction being included.

The complaint, therefore, is found to be warranted as it pertains to Mr. Anderson and United Feature Syndicate.

Concurring: Brady, Cooney, Ghiglione, Green, Lawson, McKay, Otwell, Pulitzer, Renick, Rusher, Salant, and Straus. (March 22, 1977)

Is 'balance' necessary in a spot news story?

Nature of complaint (filed February 28, 1977): W. K. Morris, assistant vice-president for public affairs of the Standard Oil Company of California, complained that an ABC Evening News report of February 9, 1977, on the subject of legislation designed to limit the scope of operation of major oil companies was not a balanced account. Referring to an interview by Barbara Walters with Representative Morris Udall, co-sponsor of the legislation, Mr. Morris called it "one of the most flagrantly one-sided pieces of reporting in a long time." To support his contention, he asked the Council to examine the "'balance' between the time and attention given to Representative Udall as compared to the views of those opposing the break-up of our large oil companies."

Response of news organization: The complaint was forwarded to ABC on March 3, 1977. ABC did not respond to the Council. To the knowledge of the Council, no response was made directly to the complainant. A copy of the transcript was included with the letter of complaint.

Conclusion of the Council: The introduction of legislation in Congress to limit the scope of the big oil companies was news and it was treated quite properly as such by ABC News on the day the bill went before Congress. To be sure, there are arguments for and against

such legislation, but ABC News cannot and should not be expected to explore all facets of this complex issue in a single newscast. The news aspect on that day was the introduction of the bill, and as a co-sponsor of it Representative Udall was a logical subject for an interview.

The complaint is found unwarranted.

Concurring: Brady, Ghiglione, Green, Lawson, McKay, Otwell, Pulitzer, Renick, Rusher, and Straus. (March 22, 1977)

The 'Hustler' jury was out: Should Flynt have been on TV?

Nature of complaint (filed February 18, 1977): Mrs. Paul Maloney, of Louisville, Kentucky, complained that a 60 Minutes segment on the prosecution of Larry Flynt, publisher of *Hustler* magazine, was aired at a time when "not only was Mr. Flynt on trial, but also, his un-sequestered jury was in deliberation."

Mr. Flynt was tried and convicted on obscenity charges. The staff investigation revealed that the case went to the jury on Thursday, February 3, that it was not sequestered, and that it gave its verdict on Tuesday, February 8. The 60 Minutes broadcast occurred on February 6, 1977.

Complainant concludes, "Since pornography and press freedom are always topical, the segment could have been held to another date."

"Therefore, I most sincerely believe C.B.S. did not exercise responsible judgment in this instance and should be held accountable."

Response of news organization: Robert Chandler, vice-president for administration of CBS News, responded in relevant part as follows:

In general, CBS News believes there should be no restrictions on its right to report on issues of public importance or constitutional significance because there is pending litigation on these matters. On the contrary, we believe that it is both our right and responsibility to provide the public with information and background on these issues on a timely basis.

There are a number of factors to be considered:

First, we are a national medium; CBS News and 60 Minutes broadcasts are carried by more than 200 stations, of which our Cincinnati affiliate, where the jury was deliberating, is but one. It seems to us a disservice to suppress information about an important public and constitutional issue for the entire nation because a local jury is considering the case.

Secondly, there is no evidence that a jury is influenced by such reports in general or in the Flynt case in particular; but in any event, it seems to us, the remedy lies not in the suppression of news but with the court itself, which is empowered to sequester the jury if it believes press reports may prove influential. In the case of the Flynt story, there was advance notice that 60 Minutes would report on the subject on that date. (It should be noted, however, that in a case as important as the Flynt case, it was to be expected that there would be other reports during that weekend reflecting ongoing coverage of the case which were broadcast without advance notice.)

Thirdly, we believe that the timing of such reports should not and cannot be governed by the status of the litigation. If a jury can be influenced during its deliberations, it can also be influenced during the trial, and indeed individual jurors conceivably could be influenced prior to their selection. If one were to press Mrs. Maloney's logic to its ultimate conclusion, then news coverage of such cases would have to be suppressed from the indictment to verdict (and in mistrials, the verdict and subsequent information through retrial verdict would likewise have to be suppressed for fear of influencing the jury).

On balance, it appears to us, the case for unrestricted reporting in such circumstances is overwhelming, particularly in light of the simple remedy available to the courts if they indeed believe it necessary.

CBS also provided a copy of the transcript from the 60 Minutes program.

Conclusion of the Council: Mrs. Maloney was careful to point out in her letter that her complaint was not concerned with the substance of the report but rather the timing. And, we are told, in a subsequent conversation with a staff member she said that Mr. Flynt had been indicted early last fall, and that in her opinion a 60 Minutes report any time between indictment and the date the jury deliberations commenced "would have been okay. It was just that this particular weekend, I felt, it was wrong." She also expressed concern over the possibility that a conscious effort may have been made by Mr. Flynt or his representatives to try his case in the press and asked at whose initiative and by whom on Mr. Flynt's side was the interview arranged.

In recognition of the potential prejudicial effect of such publicity, the Code of Professional Responsibility to which lawyers are bound provides:

During the selection of a jury or the trial of a criminal matter, a lawyer or law firm associated with the prosecution or defense of a criminal matter shall not make or participate in making an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication and that relates to the trial, parties, or issues in the trial or other matters that are reasonably likely to interfere with a fair trial, except that he may quote from or refer without comment to public records of the court in the case.

But this raises ethical questions to which lawyers who appear on such programs, and who encourage their clients to appear, must address themselves. It is not an appropriate concern for broadcasters and should thus not affect their decisions to conduct such interviews.

The exercise of judgment in all instances where litigation is pending and particularly where a defendant's right to a fair trial is involved is essential to a free and responsible press. In this case we agree with the basic conclusion of the CBS response: "On balance . . . the case for unrestricted reporting in such circumstances is overwhelming. . . ." We concur particularly in the point that the protection of fair trial in Cincinnati can be preserved, if necessary, by sequestering the jury. Thus, looking to the complaint before us which is directed solely to the timing of the program, we find that such timing was within the bounds of responsible journalism in the circumstances in this case.

The complaint is found unwarranted.

Concurring: Brady, Ghiglione, Lawson, McKay, Otwell, Pulitzer, Renick, Rusher, and Straus. *Dissenting:* Green. (March 22, 1977)

Statement on 'Docudramas'

The National News Council notes with deep concern the growing problem arising out of the recent emergence on television of a form which has come to be known as "docudramas." These are dramas, purportedly based on fact, written and produced not by journalists but by dramatists, as entertainment in the broad sense. Because these docudramas are not presented in the context of a theatre and a proscenium arch, and because they appear under the general umbrella of the same broadcast organizations that also present news and documentaries, the dangers of public confusion and historical revisionism or inaccuracy are considerable,

particularly because the needs of drama may tend to take priority over journalistic standards.

The Council cannot, and does not wish to, deprive television of this art form — which has given rise to great plays, novels, and movies. Nor is the Council in a position, since it deals only with journalism, to pass judgment on particular docudramas. Nevertheless, because docudramas are a hybrid form — a mingling of fact, or alleged fact, and dramatic license — and because of the particular factors noted above in respect of television — the Council expresses its concern and urges that the television networks take this matter under serious consideration, going beyond mere routine disclaimers, to assure a proper regard for factual and historical accuracy. (March 22, 1977)

Was a '60 Minutes' land-fraud story adequately updated?

Nature of complaint (filed February 11, 1977): John R. Wood, chairman of the Florida Real Estate Commission, charged that a segment of the CBS News broadcast *60 Minutes*, entitled "Son of Land Fraud," which was aired on December 12, 1976, "was not properly updated and gave an erroneous impression to the general public that the state agencies of Florida were not interested in elimination of fraudulent real estate operations."

The *60 Minutes* segment was concerned with the fraudulent practices of some companies set up to resell land purchased by individuals but never developed as homesites by them. The principal illustrations of the land resale frauds depicted on the broadcast involved Florida real estate.

Mr. Wood said that the segment was taped in May of 1976, at the end of a Florida legislative session which passed a law "conceived and instigated early in 1976 by the Florida Real Estate Commission which put the offending corporations out of business in July 1976. The *60 Minutes* December presentation of the fraudulent operation did not

tell the general public that the 'rip-off' had ceased five months prior."

Response of news organization: Robert Chandler, vice-president for administration of CBS News, in a letter dated February 15, 1977, declared that the allegation that *60 Minutes* did not update its report from the time it filmed its interview in May until the actual broadcast in December was untrue. To support his contention, he quoted from a portion of the presentation delivered by Mike Wallace which followed a filmed interview Mr. Wallace had conducted in May with state attorney general Robert Shevin. Said Mr. Wallace:

Immediately following that interview, Attorney General Shevin set about cleaning up the Florida land resale racket with a vengeance. He wanted to be governor of Florida, and the news reports he generated in his attack on land resale are bound to help him. His actions have spurred the Florida legislature. The Division of Land Sales, under new leadership, has also been cracking down; and the state attorney's office has finally begun crimi-

How to complain to The National News Council

The National News Council has two committees — the Grievance Committee, which takes complaints from anyone, individual or organization, concerning inaccuracy or unfairness in a news report, and the Freedom of the Press Committee, which takes complaints from news organizations concerning the restriction of access to information of public interest, the preservation of freedom of communication, and the advancement of accurate and fair reporting.

The procedure to follow in filing a grievance is simple:

Write to the news organization and send a copy of your letter of complaint to the Council.

If you are not sure to whom to address your complaint at a news organization, send it directly to the Council. A copy will be forwarded to the appropriate news executive.

If your complaint concerns a printed news report, include a copy of the report, the name of the publication, and the date.

If your complaint concerns a radio or television news report, include the name of the station, the name of the network, the date and the time of airing.

Be sure to include as specific information as possible as to why you are complaining.

Complaints to either committee should be addressed to:

The National News Council
One Lincoln Plaza
New York, N.Y. 10023.

nal prosecution against one land resale company. The Florida Real Estate Commission has even begun to pull the licenses of people involved in the land resale racket. But very few of those swindled will ever get their money back. And without action by the Federal Trade Commission, the same con-men and women who worked the land resale game in Florida are free to keep right on fleecing gullible landowners from telephone boiler rooms in other states.

Additionally, Mr. Chandler noted that "following the broadcast, it became evident that some viewers were still under the impression that resale operators were still operating freely, so on the following week, December 18, *60 Minutes* did a follow-up."

This follow-up occurred in the mailbag portion which records viewers' comments at the end of the broadcast. After reading a letter from a viewer suggesting that government cannot regulate such matters, Dan Rather said:

Well, the authorities down in Florida don't see it that way. They have now cracked down on fraudulent land resale — put the con men out of business — but that doesn't mean shady real estate men might not open shop in some other part of the country, in fact, we've been told they are currently operating get-rich-quick land schemes out of eastern Canada.

The Chandler letter also took issue with the complainant's view that the "rip-off" had ceased five months prior. It cited two letters from the Florida attorney general to the Real Estate Commission written in June and July of 1976. In the first, the commission was urged to enact "proper controlling rules that strictly implement the law." And in the second, the attorney general complained that the lack of action by the commission had enabled the advance fee companies to find "loopholes" in the new law.

Conclusion of the Council: "Son of Land Fraud" was an indictment of a deceptive land resale practice that bilks the innocent and gullible out of large sums of money and operates in such a way that makes it difficult to eliminate permanently. The land scheme, as employed in the state of Florida, provided *60 Minutes* with a case study of the practice which was flourishing there when the segment was filmed.

The fact that new legislation, enacted by the Florida legislature to deal with the situation, was employed vigorously by the state attorney general's office to crack down on the land sales operators between the time the Florida segment was filmed and the time it was actually aired in no way detracts from the central point of the presentation — namely, that the practice can continue unchecked elsewhere unless there is federal action to curtail it.

CBS did take notice of the Florida clean-up in the portion of the segment quoted by Mr. Chandler in his letter. But its first broadcast did not fully or apparently effectively disclose the time frame of the CBS exposé. To inform viewers that many of the interviews had been filmed seven months earlier would have given a more desired perspective to the report. CBS itself noted the next week that its first update had left the wrong impression in some minds and acted responsibly and promptly to dispel the impression by its explicit statement that the Florida authorities "had put the conmen out of business". Taking into account the totality of CBS's actions, we find the complaint unwarranted.

Concurring: Brady, Ghiglione, Green, Lawson, McKay, Otwell, Pulitzer, Renick, Rusher, and Straus. (March 22, 1977)

Did Boston's media engage in self-censorship?

Background of complaint (filed November 12, 1976): The New England Chapter of The Society of Professional Journalists, Sigma Delta Chi (SDX), forwarded to the Council a complaint which had been made to it by State Senator William Bulger of Massachusetts. In a letter dated October 13, 1976, State Senator Bulger had asked for an investigation of the activities of the Boston Community Media Council and the appointment by Federal Judge Arthur Garrity of Lamont Thompson, vice-president of Boston television station WBZ, to the Citywide Coordinating Council (C.C.C.), an organization monitoring school busing in Boston.

In relaying the complaint to the Council, SDX expressed its concern about the possible "chilling effect" created by the establishment of a special state senate committee to look into the activities of the Boston Community Media Council.

For the sake of clear understanding, a description of the two principal organizations referred to in this complaint follows:

The Citywide Coordinating Council (C.C.C.) — a body composed of people from various aspects of civic life. As originally constituted, it consisted of forty-two members, but was reorganized in 1976 and

the number reduced to fifteen. It was at this time that Mr. Thompson was appointed as a member to serve a one-year term. The C.C.C. serves at the pleasure of Judge Garrity. Its expenses are borne by the defendant in the matter, which is the Boston School Committee, a city agency. The main function of the C.C.C. is to monitor community activity as it relates to the court order and to pinpoint problem areas for the judge. The C.C.C. has a professional staff paid for with federal funds and holds regular fortnightly meetings. Lamont Thompson serves on its public-information committee. This committee reports from time to time on progress and problems in the desegregation program and its releases are given to the press and public.

Boston Community Media Council, Inc. (B.C.M.C.) — originally called the Boston Community Media Committee, it was founded in 1968 in response to a federal report on urban riots which urged a greater community awareness of the problems of minorities. It presently consists of twenty-one member organizations, including all Boston area television and radio stations, *The Boston Herald American*, *The Christian Science Monitor*, U.P.I., and the weekly *Bay State Banner*. It is a voluntary organization and has no governmental standing whatsoever. B.C.M.C. originally concentrated on the bringing together of the minority and white communities to discuss and improve the employment situation and to bring about better understanding of ghetto area problems.

One thing that was a direct outgrowth of B.C.M.C. activity was a statement aired by all Boston stations and carried in all Boston papers urging parents to comply with the order and to avoid violence for the protection of the city's children. The statement was carried by everyone and was an important element of the published reports that Boston news organizations had come close to self-censorship in their early coverage of the busing situation.

In investigating the charges, a Council staff member spoke with the following persons: State Senator William Bulger, (Democrat, First District, Suffolk); Leo Allen, legislative assistant to Senator Bulger; Lamont Thompson, vice-president, WBZ, Boston; Robert Wood, president of the University of Massachusetts and chairman, Citywide Coordinating Council; Margaret Ashurst, executive director, Boston Community Media Council, Inc.; Mel Miller, publisher, *Bay State Banner*; Leo Beranek, president, WCVB-TV and vice-president, Boston Community Media Council, Inc.; Robert Bergenheim, publisher, *The Boston Herald American*; John Hughes, editor, *The Christian Science Monitor*; Glen Dwinells,

business manager, *The Christian Science Monitor*; Martin Walsh, Community Relations Service, U.S. Justice Department, Boston; and Charles Whipple, ombudsman, *The Boston Globe*.

Mr. Thompson was interviewed with Robert Wood, president of the University of Massachusetts and chairman of the C.C.C. Both feel that the participation of all those on the council, including Mr. Thompson's, is a matter of civic responsibility. Said Mr. Wood:

The issue here is whether individual members of the press can cloak themselves in the First Amendment forever and thus avoid their individual responsibilities to the community.

Both Mr. Wood and Mr. Thompson see no more prospect of a conflict of interest in this matter for someone connected with the press than for a college president, a business executive, or a banker.

Mr. Thompson sees his role at the C.C.C. as one that in no way affects the manner in which his station covers the school-desegregation issue.

Robert Bergenheim, publisher of *The Boston Herald American*, takes the opposite view. He believes that there can be the appearance of a conflict of interest.

John Hughes, editor of the *Monitor*, raises the point that if Mr. Bergenheim's view were carried to its ultimate conclusion, no newsman would serve on a Chamber of Commerce or other civic committee in any fashion. "But," he adds, "these days press people must be pure. They should remain aloof from organizations which are involved in controversy."

Conclusion of the Council: The National News Council, in response to a complaint relayed to it by the New England Chapter of the Society of Professional Journalists, Sigma Delta Chi, has examined the role of the Boston media in the 1974-75 school desegregation plan and court-ordered busing program.

Examination of the media role, including staff interviews with news executives, civic leaders, and political figures, was not aimed at determining the fairness or accuracy of the coverage of the Boston busing controversy, but rather was directed at trying to determine the merits of complaints that the media compromised their role as detached observers and damaged their credibility, at a time when it was needed most, by engaging in collusive and cooperative efforts that were susceptible to charges of "self-censorship" and "news management."

The charges, expressed most vociferously by State Senator William Bulger, centered on the activities of and participants in two

Boston groups:

□ Boston Community Media Council, Inc. (B.C.M.C.), an independent, voluntary, non-governmental group that included representatives of all the Boston print and broadcast media;

□ The Citywide Coordinating Council, a court-appointed and city-funded group established to monitor the progress of school desegregation in Boston.

In connection with the first group — the B.C.M.C. — The National News Council recognizes and respects the high purpose of the Boston media in trying to create a common understanding of the problems and a uniform avoidance of inflammatory coverage of an emotionally charged situation. Yet active collaboration by all the major media, including the adoption of a joint statement that was published and broadcast by all the media participants, could not avoid creating the appearance of a collusion and conspiracy that was self-defeating.

Whereas the B.C.M.C. provides a valu-

**'I object to
journalists being regarded
as a sort
of creeping priesthood'**

able lesson on the risks of a concerted involvement, membership of one broadcasting executive, Lamont Thompson, on the court-appointed Citywide Coordinating Council provides an illustration of the appearance of a conflict of interest which is quite common in journalism and yet which has created growing concern by professional news organizations. It is a concern which the Council certainly shares in this instance. Such conflicts or appearances of conflicts often arise unexpectedly and create risks to credibility that cannot always be anticipated or avoided.

The Boston example offers a case which the Council believes should have been avoided. This Council believes it was improper for the vice-president of a Boston television station — an executive with news responsibilities — to serve on a governmental committee with official responsibilities. Such involvement can only create doubts about the objectivity and balance of his organization's news coverage. The appearances of such a conflict of interest were further heightened by the fact that the television executive served also on the group's public-information committee.

A third facet of the Boston situation was

the stated concern of the New England Chapter of the Society of Professional Journalists, Sigma Delta Chi, over the establishment of a Massachusetts Senate Committee to examine the operations of the Boston Community Media Council.

In the context of the political crossfire directed at the media, it is easy to understand why Boston area journalists would regard such an inquiry as having a "chilling effect on news gathering and news dissemination."

Although the Council believes there is as great a danger in muzzling or inhibiting legislative inquiries as there is in attempts to muzzle the press, the stated mission of the legislative committee possibly created the appearance of harassment and might have actually represented an attempt to intimidate the media.

The media should be fully prepared to withstand the closest scrutiny as a matter of normal accountability and should welcome any inquiries that do not violate confidentiality or compromise First Amendment freedoms in any way.

However, it must be remembered that no legislative body can enact legislation to regulate the content of the news. Accordingly, any legislative inquiry directed at news content must necessarily have a "chilling effect." To the extent, if any, the committee approved by the Massachusetts Legislature was so directed, it must be disapproved.

Concurring: Brady, Cooney, Ghiglione, Green, McKay, Otwell, Pulitzer, Salant, and Straus.

Concurring opinion: I agree with the conclusion of the Council in this case, and also with the reasons advanced for that conclusion — with perhaps one exception, which I feel merits mention.

I object to the notion that, as a by-product of his special status, the journalist is subject to limitations on his freedom of speech, association, and action that are not applicable to others. He isn't.

I object, in other words, to journalists being regarded as a sort of creeping priesthood, characterized by special powers and limitations — en route, presumably, to celibacy.

Nonetheless, no sensible person would attempt to report with reasonable fairness on the Boston school controversy while simultaneously sitting on committees composed of partisans of one side. That is what I understand the Council's opinion to be saying at bottom; that is all it needs to say; and in that conclusion I concur. Rusher.

Dissenting: Lawson and Renick. (March 22, 1977)

REPORTS

"Jimmy Carter and Us," by G. Barry Golson, *Playboy*, March 1977

The last word (presumably) on that exotic footnote to political history, the Jimmy Carter *Playboy* interview. In fascinating detail, the editor rehearses the story of the story, describing the circumstances and context of the more notorious passages ("Ask him about individual autonomy in the Baptist Church, you guys," Jody Powell had advised, "It's an interesting topic for an extended interview like yours"); the doomed efforts to set a restrained tone by releasing advance transcripts through "respectable" media outlets (*The New York Times* rejected the offer); the miscalculations of effect, despite the unsensational reporting arranged with A.P. and NBC; the waffles from Jimmy, the slings from Rosalynn; and particularly the Republicans' moves to make media hay in the bright glare of Carter's fallibility (extending far beyond a questionable advertising campaign to White House statements testifying piously — and speciously — to Ford's refusal to grant a similar interview). Distortion, disavowal, dissembling are abundant in this anatomy of a media event — but perhaps the most illuminating lesson of all, says Golson, is in the part played by media gone berserk. His conclusion: "The American press, by God, was considerably more obsessed by sex than was *Playboy*."

"James Reston: Prophet of American Civil Religion," by Leo Sandon, Jr., *The Christian Century*, January 5-12, 1977

The notion of a civil religion in America has in recent years engaged theologians, historians, and sociologists, but usually their attention has focused on documents, presidential addresses, and national rituals. Now, asks Sandon, a professor of religion and director of American studies at Florida State University, if politicians are its priests, who are its prophets? James Reston, for one, he suggests, citing chapter and verse from Reston's writings that reflect such civil-religious motifs as a belief in the American dream, a conviction that the founding charters of the republic represent the political equivalent of religious concepts, a sense that America has a special moral mission in world affairs, and an inclination to invoke morality in public-policy discussions. While regular Reston

readers may not require Sandon's reminder that he is not to be confused with an evangelist, they will nonetheless find here a thoughtful contention that an American civil religion indeed exists, and that the vice-president-pundit of *The New York Times* is its prophet.

"The Not-So-Prime Time of New Jersey TV," by Richard K. Rein, *New Jersey Monthly*, November 1976

Without a commercial VHF station of its own, New Jersey must rely for coverage on either Philadelphia or New York — and unless it concerns a political indictment or a titillating murder, says Rein, chances are slim that a New Jersey event will find its way into the evening news. Rein traces the history of the problem back to 1961, when the F.C.C. engineered the reallocation of the state's only VHF station to public television, and explores the attempts at resolution, particularly through the efforts of the New Jersey Coalition for Fair Broadcasting. Pressing a campaign based on F.C.C. guidelines holding stations accountable to the entire area they serve, the coalition in recent years has exacted promises from the New York stations to assign correspondents, maintain toll-free telephone numbers, and to make stronger efforts to cover the state. Not all of the commitments have been met, however, and the coalition's best hopes now rest on an F.C.C. that is presumably more responsive to community interest groups. Meanwhile, the stations continue to drag their feet — and make more promises.

"Woodstein U.," by Ben H. Bagdikian, *The Atlantic Monthly*, March 1977

With candor and concern, Bagdikian reviews some of the major problems in journalism education. Topics range from the practical (the alarmingly inadequate faculties and programs, the phenomenal proliferation of journalism departments, schools, students, and inevitably disappointed jobseekers) to the theoretical (the unfortunate mix of journalism studies with courses in the manipulative arts of advertising and public relations, the academic debate between "the chisquares and the green eye-shades" — that is, social science communicologists and experi-

enced practitioners). Noting the customary negative estimation, by editors and Pulitzer Prize-winners, of the value of a journalism education, Bagdikian points out that the hostility usually is overcome at recruiting time, if only because the trade prefers to allow the cost of systematic training to be borne by students, parents, and taxpayers. The true justification for journalism training in higher education, in his view, is "to impart to the potential journalist a knowledge of the proper role of journalism in society, the ethics implied by this role, an encouragement of empathy with people they will study for the rest of their careers, and some advice on what academic programs will provide lasting insight into society."

News Bureaus in the U.S., edited by Richard Weiner, Richard Weiner, Inc., 1977

A reference aid for journalists and publicists, this 145-page directory lists the names, addresses, and personnel of the news bureaus of several hundred major newspapers, magazines, wire services, and syndicates in every state in the country. Enhancing the paperback is an informative introduction surveying the trends in coverage, circulation, and production affecting the news-bureau system.

"The White House Press: Let AP Cover the Assassinations," by Trudi Osborne, *The Washington Monthly*, February 1977

Those enviable perks enjoyed by the White House press contingent (and their traveling companions) trouble Osborne — the special conveniences, the elaborate entertainments, those glorious trips to glamorous watering-places made in the name of "covering the president." More worrisome than the costs and logistics — absurd enough, as she amply demonstrates — is the effect on the news. In some cases, the need by reporters to justify their presence on a presidential "trip to Xanadu" can produce such non-newsworthy bulletins as a blister on the president's golf hand; in other cases, journalistic objectivity itself may be compromised ("Who is to say what lulls an adversary?" she asks). Osborne readily acknowledges the positive reasons for eternal vigilance on the presidential trail — accessibility during vacation trips, the opportunity for in-depth features on foreign trips when the hard-news yield is low (Nixon's 1972 China trip, for example), the fearful possibility of an assassination missed — but she does raise provocative questions about a practice that may have gotten out of hand.

G. C.

The Lower case

Bar trying to help alcoholic lawyers

The Seattle Times 3/11/77

The water pollution control act charges local governments with cleaning up their affluent in line with minimum federal standards, and promises federal money for needed treatment plant construction.

The Arizona Daily Star 3/26/77



PIERRE TRUDEAU
AT PRESS CONFERENCE

"My wife has taught me a lot about rock"

Toronto Star 3/11/77

Carter plans swell deficit

The Tribune (Houston, Tex.) 3/17/77

WASHINGTON, March 10 — Three Federal agencies plan to conduct a joint study of the usefulness of marijuana in preventing nausea in persons who must take a powerful anticancer drug.

The New York Times 3/11/77

Town OKs Animal Rule

The Asheville (S.C.) Citizen 3/2/77

Capital Punishment Bill Called 'Death Oriented'

The Los Angeles Daily Journal 3/16/77

Newspaper mergers — the final phase

Columbia Journalism Review March/April 77

Body found in well remains a mystery

CONCORD, N.H. (AP) — Jerome O'Sullivan, whose body was found in a well kept seven-room colonial house in Gilman-ton this week along with what authorities say was four tons of marijuana, remains almost totally a mystery today.

Daily Hampshire Gazette 2/77

Ancient Tribe Faces New Extinction

The Washington Post 12/6/76

DNR Hunt Survey to Question Dogs

The Milwaukee Journal 2/18/77

Disabled his constituents

The Boston Globe 2/6/77

Ease the pain

Senate passes gas bill

The Daily Sentinel (Nacogdoches, Tex.) 2/1/77

14 Are Indicted On Obscure-Film Charge

The New York Times 2/7/77

Child teaching expert to speak

Birmingham Post-Herald 3/28/77



LOOKING SHARPE — Amherst Supervisor Jack Sharpe, seated, is "crowned" by Town Engineer Roland Doan, left, and Comptroller Donald Burkard, while other members of his aptly outfitted cabinet watch.

Buffalo Evening News 1/4/77

SUPREME COURT MEETS FOR DERISIONS, 10:00 A.M.
RECESSES AT END OF SESSION UNTIL MARCH 21.

UPI Daybook 3/7/77

Box or menthol:

Carlton is lowest.

See how Carlton stacks down in tar.
Look at the latest U.S. Government figures for:

The 10 top selling cigarettes

	tar mg / cigarette	nicotine mg / cigarette
Brand P Non-Filter	25	1.6
Brand C Non-Filter	23	1.4
Brand W	19	1.2
Brand W 100	19	1.2
Brand M	18	1.1
Brand S Menthol	18	1.2
Brand S Menthol 100	18	1.2
Brand BH 100	18	1.0
Brand M Box	17	1.0
Brand K Menthol	17	1.4

Other cigarettes that call themselves low in "tar"

	tar mg / cigarette	nicotine mg / cigarette
Brand P Box	15	0.8
Brand K Mild	14	0.9
Brand W Lights	13	0.9
Brand M Lights	13	0.8
Brand D	13	0.9
Brand D Menthol	11	0.8
Brand V Menthol	11	0.7
Brand V	10	0.7
Brand M Menthol	8	0.5
Brand M	8	0.5
Carlton Soft Pack	1	0.1
Carlton Menthol	less than 1	0.1
Carlton Box	less than *1	*0.1

Av. per cigarette by FTC method



Soft pack-1 mg.
Menthol-less than 1 mg.
Box*-less than 1 mg.

Less than 1 mg. tar.

**Warning: The Surgeon General Has Determined
That Cigarette Smoking Is Dangerous to Your Health.**

Of all brands, lowest...Carlton 70: less than 0.5 mg. tar,
.05 mg. nicotine av. per cigarette, FTC Report DEC. '76.

Soft Pack and Menthol: 1 mg. "tar", 0.1 mg. nicotine av. per cigarette, FTC Report DEC. '76.
Box: 1 mg. "tar", 0.1 mg. nicotine av. per cigarette by FTC method.

